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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
Fourth meeting**

Rome, 27–31 October 2008

Item 6 (b) of the provisional agenda*

Progress made towards the implementation of decision 3/5:

**Study of possible options for lasting
and sustainable financial mechanisms**

Communication of the Secretariat on the study of possible options for lasting and sustainable financial mechanisms

Note by the Secretariat

1. The annex to the present note contains copies of the correspondence sent and received up to 31 August 2008 by the Secretariat on the possible options for lasting and sustainable financial mechanisms as referred to in document UNEP/FAO/RC/COP.4/15.
2. The correspondence is set out in the annex exactly as received by the Secretariat.

* UNEP/FAO/RC/COP.4/1.

Annex

Correspondence on follow-up actions by the Secretariat addressing issues relevant to decision RC-3/5

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I. Correspondence based on elements listed in paragraphs 1 (a) and (b), 2 (a) and (b), 3 (a) and (b), 6 and 8 of decision RC-3/5

A. Letters sent by the Secretariat to Parties to the Convention

- 1. Letter dated 4 June 2007 from the Secretariat based on elements listed in paragraphs 1 (a) and (b), 2 (a) and (b), 3 (a) and (b) and 6 of decision RC-3/5**

To: Parties to the Convention

Cc: Mr. Frank Pinto, GEF Coordinator, UNDP-GEF

Mr. Shafqat Kakakhel, Acting GEF Coordinator, UNEP/Division of GEF Coordination

Mr. Steve Gorman, GEF Executive Coordinator, POPs/MP Operations Environment

Department, World Bank

Mr. Dimitri Piskounov, Managing Director, Programme Development and Technical Cooperation Division, UNIDO

Permanent Missions in Geneva

- 2. Follow-up letter dated 18 April 2008 from the Secretariat based on elements listed in paragraphs 1 (a) and (b), 2 (a) and (b), 3 (a) and (b), and 6 of decision RC-3/5**

To: Parties to the Convention

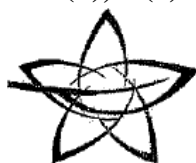
Cc: Permanent Missions in Geneva

- 3. Attachment to follow-up letter dated 18 April 2008 from the Secretariat**

(a) **Decision RC-3/5: Financial mechanism**

(b) **Section C from document UNEP/FAO/RC/COP.3/13: “Study of possible options for lasting and sustainable financial mechanisms”**

1. Letter dated 4 June 2007 from the Secretariat based on elements listed in paragraphs 1 (a) and (b), 2 (a) and (b), 3 (a) and (b) and 6 of decision RC-3/5



ROTTERDAM CONVENTION

SECRETARIAT FOR THE ROTTERDAM CONVENTION
ON THE PRIOR INFORMED CONSENT PROCEDURE
FOR CERTAIN HAZARDOUS CHEMICALS AND PESTICIDES
IN INTERNATIONAL TRADE



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Geneva/Rome, 4 June 2007

Subject: Implementation of COP 3 decisions on finances

Sir/Madam,

The Conference of the Parties (COP) to the Rotterdam Convention on the Prior Informed Consent Procedure for Certain Hazardous Chemicals and Pesticides in International Trade held its third meeting in October 2006. Our purpose in writing is to draw your attention to some of the key elements of its decision on strengthening the financial basis for implementing the Convention. A copy of the principal decision addressing this issue, Decision RC-3/5 *Financial Mechanisms*, is attached for your ease of reference.

Decision RC.3/5 is wide ranging and reflects the COP's desire to place implementation of the Convention within a broader context, including other multilateral agreements on chemicals and wastes, and sustainable development strategies such as those set out in the Millennium Development Goals and the Monterrey Consensus of the International Conference on Financing for Development.

Paragraph 1 of the Decision highlights the opportunities available from mainstreaming chemicals management and inclusion of activities in support of the Convention within regional implementation of the Bali Strategic Plan, and invites developing country Parties and Parties with economies in transition to take advantage of these opportunities.

The COP also recognized the importance of foundational chemicals management capacity, and identified several options available to Parties to build that capacity. Paragraph 2 of the Decision points to the linkages between the Rotterdam and Stockholm Conventions. It recommends that countries that are Parties to both conventions use the development of their National Implementation Plan under the Stockholm Convention as a basis for defining gaps in foundational chemicals infrastructure, and submit projects to the Global Environment Facility to address those gaps. In paragraph 3 of the Decision, the COP recommended that Parties submit projects to the Quick Start Programme (QSP) of the Strategic Approach to International Chemicals Management (SAICM). The Secretariat has already installed a link from its homepage to that of the QSP to facilitate Parties' efforts in this regard.

The COP also recognized the difference between foundational chemicals management and activities required to implement the specific provisions of the Convention. In this regard, the COP, in paragraph 6 of the Decision, invited Parties to provide information on which to base an assessment of the costs of implementing the provisions of the Convention. As guidance, we are attaching Section C of UNEP/FAO/RC/COP.3/13 "*Study of Possible Options for lasting and sustainable financial mechanisms*". We would appreciate receiving such information from you by 31 January 2008, based on your national experience in the implementation of the Convention.

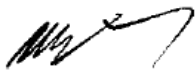
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To: Parties to the Rotterdam Convention

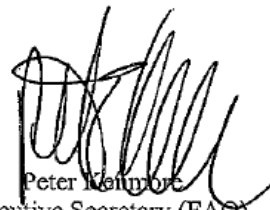
Finally, in Decision RC.3/5 as well as Decisions RC.3/6 and RC.3/9, the COP stressed the importance of technical assistance in enabling Parties to implement the Convention, and urged Parties and others in a position to do so to contribute generously to the Voluntary Special Trust Fund that supports technical assistance activities.

The Secretariat stands ready to assist Parties in the implementation of this important decision.

Best regards,



Maged Younes
Acting Executive Secretary (UNEP)



Peter Kettner
Executive Secretary (FAO)

cc: Mr. Frank Pinto, GEF Coordinator, UNDP-GEF
Mr. Shafqat Kakakhel, Acting GEF Coordinator, UNEP/Division of GEF Coordination
Mr. Steve Gorman, GEF Executive Coordinator, POPs/MP operations Environment Department,
World Bank
Mr. Dimitri Piskounov, Managing Director, Program Development and Technical Cooperation
Division, UNIDO
Permanent Missions in Geneva

2. Follow-up letter dated 18 April 2008 from the Secretariat based on elements listed in paragraphs 1 (a) and (b), 2 (a) and (b), 3 (a) and (b), and 6 of decision RC-3/5



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Geneva, 18 April 2008

Subject: Cost of Implementation of the provisions of the Rotterdam Convention

Sir/Madam,

On behalf of the Co-Executive Secretaries of the Rotterdam Convention, I am writing to follow-up our letter of the 4th June 2007. That letter highlighted the key elements of decision RC-3/5 of the third meeting of the Conference of the Parties on strengthening the financial basis for implementing the Convention (copy enclosed). It emphasized paragraph 6 of decision RC-3/5 in which Parties, based on their national experience in the implementation of the Convention, were invited to provide information on which to base an assessment of the costs of implementing the provisions of the Convention. As guidance we enclosed Section C of the study of possible options for lasting and sustainable financial mechanisms which included a sample table of the elements to consider (UNEP/FAO/RC/COP.3/13).

To date only the Government of the Kingdom of Thailand has provided a response. A copy of their letter is enclosed for your information and as an example of the type of information that might be provided.

We would like to once again draw your attention to the request for information as set out in paragraph 6 of decision RC.3/5 of the third meeting of the Conference of the Parties. We would appreciate receiving such information from you by the 15th June 2008 at the latest, in order for the Secretariat to be able to make the submitted information available to the Conference of the Parties at its fourth meeting in October 2008.

Please be assured of our highest regard

Yours sincerely

Donald Cooper
Co-Executive Secretary

To: Parties to the Rotterdam Convention
cc: Permanent Missions in Geneva

3. Attachment to follow-up letter dated 18 April 2008 from the Secretariat

(a) Decision R/C-3/5: Financial mechanism

RC-3/5: Financial mechanism

The Conference of the Parties,

Recognizing the need for lasting and sustainable financial support for sound chemicals management including implementation of the Rotterdam Convention,

Building on existing strategies for the mobilization of resources to support the implementation of multilateral environmental agreements and approaches dealing with the sound management of chemicals,

Supporting the implementation of the Bali Strategic Plan for Technology Support and Capacity-building and other ongoing activities in this regard,

Recognizing that sizeable development assistance flows to build foundational capacities in sound chemicals management should be available to developing countries and countries with economies in transition that intend to mainstream sound chemicals management objectives into their national development plans and assistance requests, but that challenging obstacles exist that prevent those countries from accessing those funds in their efforts to achieve sound chemicals management,

Highlighting the importance of strengthening linkages and coordinating resource mobilization strategies of other multilateral chemicals agreements, approaches and processes, including the Stockholm Convention on Persistent Organic Pollutants, the Montreal Protocol on Substances that Deplete the Ozone Layer to the Vienna Convention on the Protection of the Ozone Layer, the Basel Convention on the Control of Transboundary Movements of Hazardous Wastes and their Disposal, the Strategic Approach to International Chemicals Management, including its Quick Start Programme, and the Chemicals Branch of United Nations Environment Programme's Division of Technology, Industry and Economics,

Welcoming work undertaken by the United Nations Environment Programme in identifying modalities for mainstreaming chemicals management issues into national development strategies, including poverty reduction strategy plans,

Welcoming the secretariat's study of possible options for lasting and sustainable financial mechanisms,³ specifically its identification of the difference between foundational chemicals management capacities, upon which the ability to regulate chemicals effectively is based, and activities required to implement the specific provisions of the Convention,

Acknowledging that the needs for foundational capacities may be most effectively addressed within the broader frameworks of the international chemicals and wastes agreements cluster and overarching sustainable development strategies such as those set out in the Millennium Development Goals and the Monterrey Consensus of the International Conference on Financing for Development,

Acknowledging also that a strategic, multifaceted approach to securing lasting and sustainable financial resources is required for the effective implementation of the Convention and should explore and take advantage of all reasonably available opportunities and utilize existing institutions and processes whenever it is feasible to do so,

1. *Invites* developing country Parties and Parties with economies in transition:

(a) To incorporate sound chemicals management into national development plans such as poverty reduction strategy plans in order to promote mainstreaming as part of multilateral and bilateral financing;

(b) To include capacity-building and technology transfer for the implementation of the Convention, including their maintenance, in the regional implementation of the Bali Strategic Plan;

2. *Recommends* individual developing countries and countries with economies in transition which are Party to both the Stockholm Convention and the Rotterdam Convention:

(a) To use their national implementation plans under the Stockholm Convention as a basis for defining gaps in their chemicals management infrastructure for implementation of the Rotterdam Convention, noting that the Rotterdam Convention secretariat, in conjunction with the United Nations Institute for Training and Research, is field testing supplementary guidance to assist countries in doing so;

(b) To propose to the Global Environment Facility projects within its mandate that may contribute to implementation of the Stockholm Convention and contribute indirectly to the implementation of the Rotterdam Convention by building foundational chemicals management capacity;

3. *Recommends* that individual developing country Parties and Parties with economies in transition:

(a) Propose projects under the Strategic Approach to International Chemicals Management's Quick Start Programme that will build foundational capacities in sound chemicals management necessary for their adequate implementation of the Rotterdam Convention;

(b) Propose projects under the Quick Start Programme that will support activities directed at enabling the implementation of sound chemicals management objectives by mainstreaming them into national development strategies, noting that this type of enabling activity is among the strategic priorities of the Quick Start Programme;

(c) Request the secretariat to facilitate the identification of donors that will provide them with technical support to assist them in integrating sound chemicals management objectives into their national development assistance requests, noting that the provision of such technical support is among the financial considerations included in subparagraph 19 (c) (i) of the Strategic Approach to International Chemicals Management's Overarching Policy Strategy;

4. *Requests* individual developed country (donor) Parties and the Governments of other countries, in support of the above actions by developing countries and countries with economies in transition, to communicate to the secretariat of the Strategic Approach to International Chemicals Management, individual developing country Parties and individual Parties with economies in transition their willingness to provide the technical support referred to in the Overarching Policy Strategy;

5. *Requests* the secretariat to consult with the Basel Convention secretariat, the Stockholm Convention secretariat, the Strategic Approach secretariat and other appropriate entities to help identify ways in which the secretariat might, as part of a multi-faceted strategy for securing financial resources, assist Rotterdam Convention developing country Parties and Parties with economies in transition in their efforts to integrate sound chemicals management objectives into their national development assistance requests;

6. *Invites* Parties to provide information on which to base an assessment of the cost of implementing the specific requirements of the Convention in developing countries and in countries with economies in transition;

7. *Encourages* donors to continue contributing generously to the Convention's Voluntary Special Trust Fund;

8. *Requests* the secretariat, in a facilitative role, to work closely with relevant implementing, executing, and finance agencies (including among others the World Bank, the United Nations Development Programme, the United Nations Environment Programme and the United Nations Industrial Development Organization) and the Global Environment Facility to enhance their understanding of and support for the aims and objectives of the present decision;

9. *Requests* the secretariat to continue to consult with the secretariats of the Stockholm Convention, the Basel Convention and the Strategic Approach to International Chemicals Management to explore ways to make more effective use of and build upon existing sources of relevant global funding by inviting the Global Environment Facility and the Multilateral Fund Executive Committee, within their mandates, and the Parties to the Montreal Protocol to identify those areas that can support implementation of appropriate and relevant objectives of the Convention such as foundational chemical management, and to report on the results of its efforts;

10. *Invites* Parties, for the longer term, to consider the need for the Global Environment Facility to broaden its programming activities, including the possibility of a chemicals-related focal area, with a view to targeted and sustainable funding of priority needs within recipient countries for the implementation of those objectives of the Convention that relate to the incremental costs of achieving global environmental benefits;

11. *Requests* the secretariat as part of its activities in the context of paragraphs 8 and 9 to continue exploring as appropriate possibilities for new sources of funding to support the implementation of the Rotterdam Convention.

(b) Section C from document UNEP/FAO/RC/COP.3/13: "Study of possible options for lasting and sustainable financial mechanisms"

This is an excerpt from the Rotterdam Convention COP 3 meeting document: Section C of UNEP/FAO/RC/COP.3/13 – "*Study of possible options for lasting and sustainable financial mechanisms*"

.....

C. Areas of implementation that may entail additional costs

1. This section contains a series of tables that identify areas of Rotterdam Convention implementation that may entail additional costs. Each table presents an implementation area associated with a particular Convention article. The legal nature of the article (i.e., mandatory or discretionary) is identified in the table heading.

2. Each table has three columns. The first column, "Obligations," summarizes the specific obligations found in that article. The second column, "Implementation requirements," identifies the actions which a Party may need to take in order to implement those obligations.

3. The third column, "Assumed underlying foundational capacities", suggests some of the underlying capacities that may be related to undertaking successfully the actions identified in the "Implementation requirements" column. These underlying capacities will assist in implementation of the Convention but are not always required. The extent to which they are considered to be among the additional costs of implementing the Convention will depend on how decision makers treat the factors discussed in sections A and B of chapter II above.¹

4. An additional question that also warrants mention concerns the "staging" of specific Rotterdam implementation requirements and the acquisition of foundational chemicals management capacities; in other words, what may be the best order in which developing countries should implement their Rotterdam Convention obligations to achieve the best results, taking into account limitations that may be posed by their foundational capacities in sound chemicals management. This study does not propose that developing countries should delay implementation of their obligations under the Rotterdam Convention until they have achieved a high level of foundational chemicals management capacity; rather, it concludes that developing countries should, contingent on available resources, be able to undertake the implementation of many, if not most, of their Convention obligations even if they lack many underlying capacities. Nevertheless, their ability to comply fully with Convention requirements and to contribute to the achievement of Convention objectives may be jeopardized if they do not possess those underlying foundational capacities. Appropriate guidance from relevant United Nations and national agencies should assist governments in determining the best answer to this staging question, taking into account their specific national situations and needs.

¹ Note that the tables do not identify capacities that may be needed to participate in Conferences of the Parties or other Rotterdam Convention meetings.

Article 4: Designated national authorities (DNAs)

Legal nature: Mandatory for all Parties

Obligations	Implementation requirements	Assumed underlying foundational capacities
<ul style="list-style-type: none"> • Designate DNA (art. 4.1) • Provide sufficient resources for DNA (art. 4.2) • Provide Secretariat with name and address of DNA (art. 4.3) 	<ul style="list-style-type: none"> • Amend legislation to provide DNA with necessary administrative authority • Provide DNA with necessary financial resources and allocate funds in budget • Hire sufficient staff and/or train/reassign existing staff to enable DNA to perform its functions • Provide DNA with adequate information and communication technology, such as computers, internet access, etc. 	<ul style="list-style-type: none"> • Existence of general institutional and physical infrastructures to support the use of information and communication technologies, including for international communications • Procedures to gather data and exchange information at the national level, with other countries, and with international organizations • Mechanisms to facilitate coordination between various ministries and ensure cooperation at the international level with relevant institutions • Capacities for raising awareness among stakeholders

Article 5: Procedures for banned or severely restricted chemicals

Legal nature: Mandatory for all Parties that have adopted final regulatory actions

Obligations	Implementation requirements	Assumed underlying foundational capacities
<ul style="list-style-type: none"> • Notify Secretariat of final regulatory actions (art. 5.1) • Notify Secretariat upon entry into force of final regulatory actions in effect at that time (art. 5.2) 	<ul style="list-style-type: none"> • Ensure sufficient regulatory framework to gather and submit required information • Designate national authority responsible for providing notifications and ensure sufficient authority and responsibility • Provide DNA with sufficient resources, including information and communication technology 	<ul style="list-style-type: none"> • Institutional capacities and procedures for coordination and communication among different agencies responsible for chemicals management • Administrative, regulatory, and legal capacities to take regulatory action to ban or restrict chemicals in order to protect human health or the environment

Article 6: Procedures for severely hazardous pesticide formulationsLegal nature: Discretionary, applies to any developing country or EIT country Party²

² Although developing countries are not required to propose new Annex III listings, their ability to do so may be an important factor in the degree to which they are able to protect their environmental health interests and contribute towards achievement of the Convention's objectives.

Obligations	Implementation requirements	Assumed underlying foundational capacities
<ul style="list-style-type: none"> Propose new Annex III listings of severely hazardous pesticide formulations (art. 6.1) Proposals must contain information specified in Annex IV, Part I (art. 6.1) 	<ul style="list-style-type: none"> Ensure sufficient regulatory framework to enable authorities to gather and submit required information Select a national authority responsible for proposals and ensure sufficient authority and responsibility Provide that authority with sufficient resources including information and communication technologies 	<ul style="list-style-type: none"> Basic framework of pesticides legislation Institutional and technical capacities for hazard and risk assessment and analysis, including ability to track and document use patterns, exposure incidents, adverse effects, etc. Institutional capacities and procedures for coordination, communication, and information-sharing between various agencies responsible for chemicals management

Article 10.1-8: Obligations in relation to imports of chemicals listed in Annex III
 Legal nature: Mandatory for all Parties

Obligations	Implementation requirements	Assumed underlying foundational capacities
<ul style="list-style-type: none"> Implement appropriate administrative and legislative measures to ensure timely decisions with respect to the import of listed chemicals (art. 10.1) Transmit timely responses to the Secretariat regarding consent to import listed chemicals (art. 10.2, 10.4, 10.5) Include description of any legislative or administrative measures upon which response decision is based (art. 10.6) Transmit import responses with respect to each chemical listed in Annex III to Secretariat upon entry into force (art. 10.7) Make import responses available to those concerned within 	<ul style="list-style-type: none"> Ensure that responsible authorities are able to effectively use information contained in decision guidance documents as basis for making informed import decisions Provide DNA with sufficient authority to gather specified information and make decisions regarding import responses received Establish consequences for DNA's failure to submit import responses Enact and implement procedures to communicate import decisions to authorities responsible for controlling imports Establish monitoring and reporting procedures regarding imports of 	<ul style="list-style-type: none"> Basic framework of national legislation for regulating pesticides and chemicals; including capacities for risk analysis and regulatory decision-making Regulatory and other tools including: <ul style="list-style-type: none"> Pesticides/chemicals registration system Post-registration review Civil society involvement Legislative bans or controls Import and export measures, including to enable customs officials and others to establish and implement necessary controls Provisions for proprietary information Data collection, monitoring and reporting relating to

Obligations	Implementation requirements	Assumed underlying foundational capacities
Party's jurisdiction (art. 10.8)	<p>Annex III substances, including training and authority for customs officials to gather and compile information</p> <ul style="list-style-type: none"> Ensure information concerning imports is disseminated to stakeholders 	<p>production, use, import and export</p> <ul style="list-style-type: none"> Institutional capacities necessary to implement national legislation, such as: <ul style="list-style-type: none"> Infrastructure for risk assessment and risk management decision-making (includes establishing agencies and providing them with sufficient staff, financial and technical resources) Mechanisms for coordinating and communicating between different national agencies Functioning, sufficiently staffed and equipped customs service

Article 10.9: Obligations relevant to domestic production for domestic use, and import from any source

Legal nature: Mandatory for all Parties that do not consent to import or consent only under specified conditions

Obligations	Implementation requirements	Assumed underlying foundational capacities
<ul style="list-style-type: none"> Prohibit or restrict all sources of import and domestic production in the same manner as import bans or restrictions taken under Article 10.4 	<ul style="list-style-type: none"> Enact or amend chemicals regulations to ensure harmonization of treatment between domestic production for domestic use and all imports Ensure that import controls are simultaneously applied to imports from all sources Ensure that regulatory system at national level is capable of enforcing restrictions 	<ul style="list-style-type: none"> Functioning chemicals regulatory system at the national level, as discussed above, that is sufficiently strong to enforce controls on domestic production of chemicals for domestic use Capacity to control imports, including a well-functioning and trained customs service

Article 11: Obligations in relation to exports of chemicals listed in Annex III

Legal nature: Mandatory for all Parties that export listed chemicals

Obligations	Implementation requirements	Assumed underlying foundational capacities
<ul style="list-style-type: none"> Communicate received import responses to concerned entities within jurisdiction (art. 11.2) 	<ul style="list-style-type: none"> Enact or amend laws to provide authority to regulate or ban export of listed chemicals; must include procedural 	<ul style="list-style-type: none"> Effective customs regulations and functioning, well-trained customs authority Enforcement/compliance

<p>11.1)</p> <ul style="list-style-type: none"> • Ensure that exporters comply with import decisions within six months • Advise and assist importing Parties upon request and as appropriate to obtain further information and to strengthen their capacities to manage chemicals throughout their life cycles • If a Party fails to transmit an import response, exporting Parties must ensure that chemicals listed in Annex III are not exported to them from their territory unless under an applicable exception (art. 11.2) 	<p>requirements, e.g., exporter notice to DNA of its intention to export an Annex III substance to a Party that has failed to provide an import response</p> <ul style="list-style-type: none"> • Ensure that DNA has sufficient legal authority to oversee compliance • Establish procedures to ensure that import decisions are communicated to authorities responsible for controlling exports, including customs officials • Specify consequences for violations by exporters • Ensure that DNA has sufficient resources for disseminating information on import decisions and gathering information on exporter's intentions to export chemicals • Train staff of authorities responsible for controlling imports (including customs officials) regarding labelling and harmonized customs code, etc. 	<p>authorities</p> <ul style="list-style-type: none"> • Existence of adequate information and communication technology infrastructures
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Articles 12 and 13: Export notification and information to accompany exported chemicals

Legal nature: Art. 12, mandatory for all Parties, but obligation may cease in certain situations; Art 13, mandatory except Art. 13.3, which is discretionary

Obligations	Implementation requirements	Assumed underlying foundational capacities
<p>Export notification (art. 12)</p> <ul style="list-style-type: none"> • Provide an export notification to importing Parties, including specified information, whenever a Party exports a chemical that is banned or severely restricted in its territory (art. 12.1) • Exporting Parties must adhere to timing requirements, provide updated export notifications and second notifications in certain 	<ul style="list-style-type: none"> • Ensure that exporting Party DNA has authority to gather information required for export notifications • Should include provisions specifying that an exporter shall notify the DNA when it intends to export from the territory of the Party any substance that has been banned or severely restricted by the 	<ul style="list-style-type: none"> • Ability to track and regulate imports and exports of chemicals • An adequately trained and functioning customs system • Capacity to manage licensing, tracking, and labelling systems for chemicals

<p>circumstances (art. 12.2-4)</p> <ul style="list-style-type: none"> Importing Parties may waive notice requirement and must acknowledge receipt of first export notification received from exporting Party (art. 12.2, 12.4) <p>Information to accompany exported chemicals (art. 13)</p> <ul style="list-style-type: none"> Use Harmonized System customs codes, when available, for each chemicals shipment (art. 13.1); label all exports of Annex III or banned or severely restricted chemicals (art. 13.2); send safety data sheets of chemicals used for occupational purposes to importers (art. 13.4); provide information on the label/safety data sheet in one or more official languages of importing Party, as far as practicable (art. 13.5) Parties may require special labelling for chemicals that are subject to national labeling requirements (art. 13.3) 	<p>Party</p> <ul style="list-style-type: none"> Enact, implement, and enforce legal obligations regarding the use of customs codes, labelling, and safety data sheets Laws may include provisions regarding non-observance of obligations and specify consequences for violations Ensure that there are institutional capacities for information exchange and coordination between the relevant authorities Train customs officers to enable them to determine whether export notification and information requirements are met 	
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Article 14: Information exchange

Legal nature: Article 14.12, mandatory for all Parties; Article 14.5, discretionary

Obligations	Implementation requirements	Assumed underlying foundational capacities
<ul style="list-style-type: none"> Facilitate (a) exchange of scientific, technical, economic and legal information concerning chemicals; (b) provision of publicly available information on domestic regulatory actions relevant to objectives of Convention; and (c) provision to other Parties of information on domestic regulatory actions that substantially restrict one or more uses of chemical (art. 14.1) Protect confidential information as mutually agreed, subject to specified exceptions (art. 14.2-3) Party requiring information on transit movements through its 	<ul style="list-style-type: none"> Amend or adopt legislation to enable information exchange at national and international level in terms of Article 14 Amend or adopt legislation to protect confidential business information without violating transparency provisions of Article 14.3 Provide authorities with technical capacities required for information exchange, especially information and communication technologies May provide information to the public and other Parties by establishing publicly accessible data 	<ul style="list-style-type: none"> Capacity to receive, interpret and apply lessons learned from exchange of information concerning chemicals Corporation law and practice that is sufficiently developed to provide guidance on standards for confidential business information, including application of exceptions Ability of governments to interpret and respond to information about transit movements of goods across their territories Existence of general infrastructure in which information and communication technology may be used

Obligations	Implementation requirements	Assumed underlying foundational capacities
territory of listed chemicals may report its need to the Secretariat, which shall inform all Parties accordingly (art. 14.5)	bases or internet sites	

Article 15: Implementation of the Convention

Legal nature: Mandatory for all Parties

Obligations	Implementation requirements	Assumed underlying foundational capacities
<ul style="list-style-type: none"> Take measures necessary for the effective implementation of the Convention, which may include legislative and administrative measures, the establishment of national registers and databases, encouragement of initiatives by industry to promote chemical safety, and promotion of voluntary agreements (art. 15.1) Ensure that the public has appropriate access to information on chemicals handling, accident management, and safer alternatives (art. 15.2) Cooperate in the implementation of the Convention at subregional, regional, and global levels (art. 15.3) 	<ul style="list-style-type: none"> Implement all the obligations described above Establish opportunities for public access to information on chemicals handling, etc. by, e.g., creating internet sites and distributing printed documents Provide authorities with technical capacities to enable international cooperation and information exchange, especially using information and communication technologies 	<ul style="list-style-type: none"> All the foundational capacities listed in respect to other provisions of the Convention Procedures to ensure timely and effective notice to the public Knowledge and experience in dealing with intergovernmental organizations

Article 16: Technical assistance (in particular, for developing countries and EITs)

Legal nature: Mandatory for all Parties

Obligations	Implementation requirements	Assumed underlying foundational capacities
<ul style="list-style-type: none"> Cooperate in promoting technical assistance for the development of infrastructure and capacity necessary to manage chemicals to enable 	<ul style="list-style-type: none"> Amend legislation to confer upon DNAs and others, as appropriate, authority and responsibility to cooperate in promoting and receiving technical assistance 	<ul style="list-style-type: none"> Existence of general infrastructure in which information and communication technology may be used

Obligations	Implementation requirements	Assumed underlying foundational capacities
<p>implementation of the Convention</p> <ul style="list-style-type: none"> • Provide technical assistance, including training, to other Parties 	<ul style="list-style-type: none"> • Provide authorities with technical capacities and resources required for international cooperation and information exchange, especially with information and communication technology 	

B. Replies to the above correspondence

1. **Mrs. Wichayarangsaridh, Deputy Director General, Pollution Control Department, Thailand, 1 February 2008**
2. **Dr. Juergen Helbig, European Commission, Belgium, 9 June 2008**
3. **H.E. Kouadio Mermoz Kouassi, Ministre et par délégation, le directeur de cabinet, Ministère de l'environnement, des eaux et forêts, Côte d'Ivoire, 13 June 2008**
4. **Mr. Thomas Kolly, Federal Office for the Environment, Switzerland, 13 June 2008**
5. **Ms. Anahit Aleksandryan, Head of Hazardous Substances and Waste Management Department, Ministry of Nature Protection, Republic of Armenia, 23 June 2008**
6. **Mr. André Odenbreit Carvalho, Head of Division for Environmental Policy and Sustainable Development, Ministry of Foreign Relations, Brazil, 8 July 2008**
7. **Mr. Eliakim Sakayoya, Directeur, Département de la Protection des Végétaux, Ministère de l'Agriculture et de l'Elevage, Burundi, 29 July 2008**
8. **H. E. Mme. Aïchatou Mindaoudou, Ministre, Ministère des affaires étrangères et de la coopération, République du Niger, 11 August 2008**
9. **Dr. Halimatou, Tandeta Diallo, Directeur National P.O, Ministère du Développement Durable et de l'Environnement, République de Guinée, 25 August 2008**

1. **Reply from Mrs. Wichayarangsaridh, Deputy Director General, Pollution Control Department, Thailand, 1 February 2008**

No. 0304/1574



Pollution Control Department
92 Soi Phahon Yothin 7, Phahon Yothin Rd.,
Phayathai, Bangkok 10400 THAILAND
Tel: 66 2298 2121 Fax: 66 2298 2129

1 February B.E. 2551 (2008)

Dear Sir,

Subject: Implementation of COP3 decisions on finances

Kindly refer to your letter dated 4 June 2007 inviting Parties to provide information on which to base an assessment of the costs of implementing the provisions of the Convention, according to the paragraph 6 of the COP3 decisions.

We are pleased to enclose herewith the information on an assessment of the costs of implementing the Rotterdam Convention in Thailand, based on the outcomes of a National Consultation on the Development of National Action Plan for the Implementation of the Rotterdam Convention organized in Bangkok in April 2007.

Please be assured of our full cooperation.

Yours sincerely,



(Mrs. Mingquan Wichayarangsaridh)
Deputy Director General
Pollution Control Department

Executive Secretary
The Secretariat for the Rotterdam Convention
Food and Agriculture Organization (FAO)
Viale delle Terme di Caracalla
001100 Rome, Italy

cc: Mr. Per Bakken, Executive Secretary, UNEP, Geneva

Attachment

Assessment of the cost of implementing the Rotterdam Convention in Thailand*

Article 5 Procedures for banned or severely restricted chemicals

Priorities (Objectives)	Activities	Estimated Budget (USD)
1. Banned or severely restricted chemicals notified by other parties are reviewed for consideration in the national legislation	1.1 Review 200 chemicals notified by other parties to be considered in the Hazardous Substance Committee under the Hazardous Substances Act B.E. 2535 (1992)	1,000
	1.2 Promote research activities on risk assessment of hazardous chemicals and pesticides anticipated to be listed on the future PIC list	250,000
2. Strengthening procedure for submission of notifications of final regulatory actions (NFAs) for banned or severely restricted chemicals	2.1 Conduct training on preparation of NFAs 2.2 Establish a framework/ procedure to gather and submit required information 2.3 Establish a standard procedure for submission of NFAs for banned or severely restricted chemicals	15,000

Article 6 Procedures for severely hazardous pesticides formulations

Priorities (Objectives)	Activities	Estimated Budget (USD)
1. Required information on pesticide poisoning incidents are available	1.1 Conduct consultation on the reporting system among relevant agencies in order to introduce the context and purposes of the SHPFs report form and possible operational research.	30,000
	1.2 Establish procedure to identify cocktail of pesticides that the farmers are exposed to.	5,000
	1.3 Establish incident reporting and data collecting systems	30,000

Priorities (Objectives)	Activities	Estimated Budget (USD)
2. Submission of proposals for SHPFs that contain information specified in Annex IV, Part 1	2.1 Compile local data to identify and assess SHPFs to support proposals for SHPFs	30,000
	2.2 Conduct training on preparation of proposals for SHPFs	15,000

Article 10 Obligations in relation to imports of chemicals listed in Annex III

Priorities (Objectives)	Activities	Estimated Budget (USD)
1. Import responses of listed chemicals are submitted to the Secretariat	1.1 Establish a procedure to ensure timely decision making and submission of import responses (use of decision guidance documents as basis for making informed import decisions)	1,000
	1.2 Conduct training to government officials and authorities regarding submission of import responses	1,000
2. Strengthening import control of chemicals	2.1 Build the capacity of customs and boarder control officials 2.2 Establish monitoring and reporting procedures regarding imports of chemicals under the Convention	200,000

Article 11 Obligations in relation to exports of chemicals listed in Annex III

Priorities (Objectives)	Activities	Estimated Budget (USD)
1. Exporters comply with import decisions of importing Parties	1.1 Establish procedures to ensure that import decisions are communicated to stakeholders within the country	1,000
	1.2 Conduct awareness raising campaigns/seminars for industrial sectors on how to comply with import decisions	30,000
	1.3 Provide sufficient resources to DNAs for disseminating information on import decisions and gathering information on exporter's intentions to export chemicals	5,000
2. Importing Parties receive assistance, upon request and as appropriate, to obtain further information and to strengthen their capacities to manage chemicals	2.1 Compilation and sharing of chemical safety information	15,000
	2.2 Awareness raising campaigns/seminars	15,000

Article 12 and 13 Export notification and information to accompany exported chemicals

Priorities (Objectives)	Activities	Estimated Budget (USD)
1. Compliance with obligations on export notifications	1.1 Collect information required for export notifications 1.2 Establish a procedure to ensure timely acknowledgement of first export notification received from exporting Party 1.3 Establish a procedure to ensure an exporter notify the DNA when it intends to export from the territory any substance that has been severely restricted 1.4 Establish a procedure to provide updated export notifications and second notifications in certain circumstances in timely manner	20,000

Priorities (Objectives)	Activities	Estimated Budget (USD)
2. Exported chemicals are accompanied with appropriate information, e.g., customs codes, labeling and safety data sheets.	2.1 Enact, implement, and enforce legal obligations regarding the use of customs codes, labeling, and safety data sheets	1,000
	2.2 Training of government officials and relevant stakeholders regarding information to accompany exported chemicals such as labeling and harmonized customs code, etc.	15,000

Article 14 Information exchange

Priorities (Objectives)	Activities	Estimated Budget (USD)
1. The public and other Parties has appropriate access to information relevant to the implementation of the Convention	1.1 Establish an RC website	50,000
2. Improvement of public awareness and education on chemical and pesticide management	2.1 Conduct seminars and campaigns for general public 2.2 Include chemical and pesticide management in youth education programmes	100,000

Summary of estimated cost for the implementation of the Rotterdam Convention in Thailand

Activities	Estimated Budget	
	USD	%
Article 5 Procedures for banned or severely restricted chemicals	266,000	32.0
Article 6 Procedures for severely hazardous pesticide formulations	110,000	13.3
Article 10 Obligations in relation to imports of chemicals listed in Annex III	202,000	24.3
Article 11 Obligations in relation to exports of chemicals listed in Annex III	66,000	8.0
Articles 12 and 13 Export notification and information to accompany exported chemicals	36,000	4.3
Article 14 Information exchange	150,000	18.1
Total	830,000	100

2. Reply from Dr. Juergen Helbig, European Commission, Belgium, 9 June 2008

Summary of the report on the operation of Regulation (EC) No. 304/2003 concerning the export and import of dangerous chemicals (the full text of the report may be found on the internet at the address http://edexim.jrc.it/documents/Regulation-304-2003_Full-Report_2006.pdf)

REPORT FROM THE COMMISSION TO THE COUNCIL AND THE EUROPEAN PARLIAMENT

on the operation of Regulation (EC) No 304/2003 concerning the export and import of dangerous chemicals

1. INTRODUCTION

This report has been prepared in accordance with Article 21 of Regulation (EC) No 304/2003 of the European Parliament and of the Council concerning the export and import of dangerous chemicals¹, hereinafter called the Regulation. The report covers the period from 2003 to 2005. It outlines the main provisions of the Regulation and the main tasks performed by the Member States, the Commission and industry, and it reviews implementation to date of the procedures including actions taken to improve the efficiency of the Regulation. The report also considers implementation problems that have been encountered and possible changes to the Regulation that could further improve its functioning.

The report is a summary of the information available from the Member States and the Commission as at 8 September. The full report is available on the Internet².

2. BACKGROUND

2.1. EC Regulation 304/2003

The Regulation came into force on 7 March 2003. Its main purpose is to implement the Rotterdam Convention on the Prior Informed Consent Procedure for Certain Hazardous Chemicals and Pesticides in International Trade. However the Regulation also contains a number of provisions that go significantly beyond the Convention's requirements. Moreover the rules apply to exports to all countries, not only Parties to the Convention.

2.2. Designated National Authorities and overall administrative and legislative framework

Each Member State has its own Designated National Authority or Authorities (DNA(s)), but the Commission acts as the common DNA for the Community carrying out various administrative functions, as listed in section 2.3. The Commission also coordinates the Community input on all technical issues related to the Convention, at meetings of the Conferences of the Parties (CoP) and at meetings of the Chemical Review Committee.

More generally, the Commission is responsible for ensuring effective implementation of the Regulation. This includes handling of export notifications,

¹ OJ L 63, 6.03.2003

² <http://ecb.jrc.it/edex>

import notifications and the timely exchange of information with DNAs and maintaining and developing the European Database on Export and Import (EDEXIM), managed by the European Chemicals Bureau at Ispra.

About 3.5 - 4 man years per annum are dedicated to this work.

Regular meetings are held with EU DNAs to discuss the Regulation's implementation and special ad-hoc expert meetings and other informal meetings held to tackle specific issues.

All Member States appear to have the necessary legislation and administrative systems for the implementation and enforcement of the Regulation. They have stipulated the DNA(s) responsible for the administrative functions required and provided for enforcement, including in most cases penalties for breach of the rules. Some Member States have different DNAs for industrial chemicals and pesticides.

The number of staff resources involved in implementation in each DNA varies between 0.15 to 1.25 man years. Most have been deployed on handling of export notifications, followed by requests for explicit consent.

In addition, additional resources from other authorities such as Customs offices assist with the implementation of the Regulation.

2.3. The main operative provisions and procedures of Regulation 304/2003

2.3.1. *Export Notification (Article 7)*

The EU export notification procedure currently applies to around 130 chemicals and chemical groups that are listed in part 1 of Annex I of the Regulation (as last amended by Commission Regulation 777/2006). This list comprises:

- chemicals that have been banned or severely restricted by Community legislation;
- chemicals that are subject to the PIC procedure ('PIC chemicals'), except those that are banned for export.

Each exporter must submit an export notification prior to the first export of a listed chemical at least 30 days before the export is due to take place, and at least 15 days before the first export in each subsequent calendar year. Export notification is required irrespective of the intended use of the chemical and whether or not that use is banned or severely restricted within the EU.

The notification is made to the exporter's DNA, which checks completeness and forwards it to the Commission. The Commission sends the first notification per chemical/importing country it receives each year as a Community export notification. The Commission registers all export notifications in EDEXIM.

The Commission follows up notifications in cases where there is no acknowledgement of receipt from the importing country. If necessary, a second copy of the notification is sent.

A preparation containing an Annex I chemical is also subject to notification, if the concentration of the chemical is such that it could trigger compulsory labelling under Community legislation. Also included in the procedure are articles or finished products containing chemicals in unreacted form that are subject to the PIC procedure or are banned or severely restricted in the Community within the meaning of the Convention.

2.3.2. *Export notifications received from third countries (Article 8)*

When the Commission receives an export notification about a chemical from a third country, it registers this in the EDEXIM database and acknowledges receipt. The Commission forwards a copy of the notification and all available information to the DNA of the Member State concerned and, upon request, provides copies to other Member States.

In cases where a DNA in a Member State receives a notification directly, it must send it to the Commission, and the same procedure as above is followed.

2.3.3. *Reporting of chemicals traded (Article 9)*

The exporter of a chemical listed in Annex I has to submit annual reports to his DNA of the quantities of that chemical exported to each importing country. Importers have to provide the same information for chemicals placed on the Community market.

Using this information, DNAs compile aggregate reports and send them to the Commission, which publishes an overall summary.

2.3.4. *Submitting PIC notifications of regulatory actions to the Convention secretariat (Article 10)*

The Commission shall submit notifications of qualifying Community regulatory actions. Member States may also submit notifications of domestic regulatory actions via the Commission following consultation of the other Member States. Where regulatory actions do not qualify for notification, relevant information will be sent to the Convention secretariat under the Convention's information exchange provisions.

2.3.5. *Adopting Community import decisions for chemicals subject to the PIC procedure (Article 12)*

The Commission shall adopt Community import decisions for PIC chemicals, where appropriate including in those decisions information of relevant national measures at the level of Member States.

2.3.6. *The PIC procedure and explicit consent (Article 13)*

The PIC procedure currently applies to 41 chemicals or chemical groups listed in Annex III to the Convention (reproduced in part 3 of Annex I to the Regulation). The import decisions taken by Parties to the Convention regarding these chemicals are published every 6 months in the "PIC Circular".

The Regulation requires exporters to comply with these import decisions. In particular, export cannot proceed without the explicit consent of the importing

country, either through a positive import decision, or otherwise obtained from the importing country DNA by the exporting DNA. The explicit consent procedure applies to chemicals that are banned or severely restricted in the Community within the meaning of the Convention (listed in part 2 of annex I to the Regulation, which currently lists 31 such chemicals or chemical groups) but are not yet included in the PIC procedure.

In principle, obtaining explicit consent for a chemical is a one-off exercise. Once it has been obtained by one exporter's DNA, it should not be needed for subsequent exports, by any EU exporter, unless the terms of the consent obtained require otherwise.

2.3.7. *Export bans (Article 14)*

Chemicals and articles listed in Annex V, the use of which is completely prohibited in the Community, cannot be exported. Currently Annex V comprises mercury-containing soaps, and 10 chemicals or groups of chemicals listed in the Stockholm Convention on Persistent Organic Pollutants (POPs) in accordance with the provisions therein.

2.3.8. *Packaging and Labelling requirements (Article 16)*

All dangerous chemicals and preparations, whether or not they are banned or severely restricted within the EU, must be packaged and labelled for export as if they were to be marketed in the Community, i.e. the label and the accompanying safety data sheet should bear the same information, and where practicable, be in the importing country's language. In addition, the labelling requirements of the importing country have to be met. There are also specific requirements relating to expiry dates, size and packaging of containers, etc.

2.3.9. *Updating Annex I to the Regulation (Article 22)*

The Commission shall review the list of chemicals contained in Annex I at least every year on the basis of developments under Community legislation and under the Convention.

3. OPERATION TO DATE

3.1. Export notification

Export notifications handled by Member States totalled 2273. The numbers have increased significantly between 2003 and 2005, from 223 to 1174 per year. About 55-60% concerned substances; the remainder preparations. The number of chemicals involved has doubled from 24 in 2003, to 54 in 2005. The total number of importing countries has also increased from 70 in 2003 to 101 in 2005.

Over 80% of the total number of notifications came from five Member States (Germany, UK, Netherlands, France and Spain). 10 Member States (Cyprus, Estonia, Hungary, Ireland, Latvia, Lithuania, Luxembourg, Malta, Portugal and Slovakia) did not make any export notifications.

The total number of EU export notifications actually sent by the Commission was 1717 - 126 in 2003, 680 in 2004 and 911 in 2005. 200 sent notifications could not in fact be delivered (wrong email address, post address, etc.). In a high proportion of cases, the importing country fails to send an acknowledgement of receipt, as required by the Convention. In 2005, 532 notifications were re-sent. The Commission has expressed its concern on both issues at the Conference of the Parties to the Convention (CoP).

Acknowledgements of receipt obtained often include statements that consent to import is/ is not given, irrespective of whether or not explicit consent is required or has been sought, indicating a misunderstanding in some importing countries of the EU procedures.

3.2. Explicit consent

A status list of explicit consents is maintained on EDEXIM. Member States can directly input data, although often importing countries respond to ECB, which adds the information. As at 10 February 2006, EDEXIM showed 478 requests having been made to 95 countries for about 20 different chemicals and 70 different preparations. Of these requests, involving 98 importing countries, most covered chemicals listed in part 2 of Annex I, i.e. those that are not PIC chemicals, with two such chemicals - Nonylphenols and Nonylphenol ethoxylates involved in about 60% of the cases. Overall at that time 239 explicit consents had been obtained and 15 requests for explicit consent had been refused, covering 12 chemicals/preparations and 11 countries. The remaining requests, some of which had been made in 2004, still awaited a response.

The actual number of cases is higher. The listing of explicit consents on EDEXIM was not introduced until 2004 so that some early cases may have been omitted. Moreover efforts have been made to delete overlapping or duplicate requests in those cases where consent has been obtained, although a number remain, largely due to some importing countries only allowing consent on a per shipment basis.

In many cases, the delay in obtaining responses to requests is caused by incorrect contact details for importing country DNAs. At the CoP, the Commission has consistently urged Parties to ensure that such information is kept up to date and encouraged the Convention secretariat to provide assistance to Parties to make import responses for chemicals subject to the PIC procedure.

The Commission has tried to assist Member States obtain explicit consents or sought clarifications from importing countries when responses have been unclear or provided them with additional information when requested. To facilitate responses, a standardised form for requests has been developed, available in English, French, Spanish and Russian. The Commission is also working on an explanatory note to be sent to importing countries with export notifications and requests for explicit consent to aid their understanding of the different procedures.

Guidance on how best to deal with cases, including possible options for alternative evidence that might be accepted in the absence of any response from the importing country, has also been included in detailed notes for guidance.

3.3. Export notifications from third countries

The total number of export notifications received from third countries recorded on EDEXIM was 220. The actual figure is probably a little higher since some may have not been forwarded to the Commission or have otherwise gone unrecorded. Although notifications should go directly to the European Commission, most Member States still received notifications directly from the exporting countries. The main problem has related to notifications from the USA. Most Member States have requested the US authorities to send notifications to the Commission in future.

3.4. Experience with EDEXIM

At the outset there were three versions of the database: one for the ECB/DG ENV, another for the DNAs of Member States, and a public "information" version. Many improvements have been made since then to meet users' needs. Most Member States consider that the system works smoothly and is very valuable as a tool for handling of export notifications and source of data and information.

There remain some problems, but many of these have been resolved or are being addressed. Work is well advanced in developing an "Enterprise" version that would enable exporters to electronically submit their export notifications for validation by their DNAs. A special version is also under development for customs authorities, who need a specific system to facilitate their work in controlling exports and imports in accordance with Article 17 of the Regulation. These plans are welcomed by Member States. ECB has provided users' guides and training for users. It has organised 7 training sessions and meetings with users to discuss improvements, including 2 meetings with customs experts.

3.5. Reporting on chemicals traded

On the basis of reports provided by Member States, the Commission has produced overall summary reports for the years 2003, 2004 and 2005, all of which have been published on EDEXIM. An analysis for the period 2003 to 2005 is included in section 3.9 of the full report.

3.6. Updating of Annex I

The Commission has regularly updated Annex I. The annex has been amended by Commission Regulations (EC) Nos 213/2003³, 775/2004⁴ and No 777/2006⁵.

3.7. PIC notifications made

To date the Commission has submitted notifications of EU regulatory actions for 12 chemicals. It has also forwarded notifications of national regulatory actions relating to a further 2 chemicals

³ OL L169, 8.7.2003, p.27

⁴ OJ L123, 27.4.2004, p.27

⁵ OJ L136, 24.5.2006, p.9

The Commission has also on several occasions informed other countries of Community regulatory actions that did not qualify for PIC notification.

3.8. Import decisions for PIC chemicals

The Commission has adopted the following decisions establishing Community import responses for chemicals subject to the PIC procedure: Decision 2003/508/EC⁶, Decision 2004/382/EC⁷, Decision 2005/416/EC⁸, and Decision 2005/814/EC⁹.

In addition, a number of previous import responses were extended without changes to all EU 25 Member States following the 2004 enlargement.

3.9. Compliance and enforcement activities

Overall there seem to have been no major infringements of the Regulation.

Most Member States reporting infringements did not impose sanctions but issued warnings and planned closer monitoring in future. In most cases, non-compliance was either detected by the customs officers or when companies had submitted their yearly reports on quantities exported and corresponding export notifications were found to be lacking.

3.10. Awareness-raising

All Member States and the Commission have provided information to industry, usually through training sessions, seminars, workshops, bulletins, etc. Similar consultations and training are provided by some Member States for customs officers.

Draft detailed technical notes for guidance for DNAs have been published on EDEXIM. The Commission has published a guide to the Regulation in all EU languages. Most DNAs have created a web page on the Regulation including the national language version of the Regulation and the guide.

The Commission has given presentations to DNAs in importing countries to help improve their understanding of the EU procedures. Some Member States have engaged in information programmes with third countries including seminars and study tours.

4. IMPLEMENTATION PROBLEMS AND POSSIBLE IMPROVEMENTS

4.1. Customs controls

Most Member States consider that enforcement at border controls is important and that there is a need for closer collaboration and regular exchange of information between DNAs and customs officers.

⁶ OJ L174, 12.7.2003, p.10

⁷ OJ L199, 7.6.2004, p.7

⁸ OJ L 147, 10.6.2005, p.1

⁹ OJ L 304, 23.11.2005, p.46

Article 17 of the Regulation is generally worded and is rather weak. Most Member States would like to see clearer provisions, including specific obligations on exporters and the appropriate tools that would facilitate the work of customs in controlling exports and imports.

In response to these concerns, work is well advanced in classifying chemicals subject to Annex I to the Regulation within the Combined Nomenclature (CN) and in including 'warning flags' in the Integrated Tariff of the European Communities (TARIC) against the relevant CN codes that would alert customs officers to the fact that the chemicals concerned are or could be subject to special rules. In addition, linked to the development of a customs version of EDEXIM to meet the specific needs of customs officers, work is also well advanced in providing in TARIC for unique identification codes generated by EDEXIM for export notifications made, explicit consents obtained etc that could be used by exporters in section 44 of the export declaration form (the Single Administrative Document) to show that the rules have been respected and that could be readily verified by customs officers by checking on EDEXIM.

However there is general agreement that for such a system to be fully effective, the use of these special identifier codes should be made mandatory.

4.2. Explicit consent

Several Member States are experiencing problems with the procedure, particularly difficulties in getting timely responses from importing countries. In about half of the cases, despite the efforts of exporting DNAs and the Commission, no response to requests has been obtained, in some cases after many months or years, despite the fact that often it is known that use of the chemical is allowed in the importing country concerned. This often results in exports being unable to proceed from EU countries, but can be made by other countries (because they do not need to obtain explicit consent for these substances), thereby disadvantaging EU exporters. The number of cases involving such delays is significantly higher than could have been foreseen when the Regulation was adopted and the work involved for the Member States concerned and the Commission is much greater than anticipated. Part of the problem is incorrect contact details; another appears to be lack of understanding of our procedures. The latter applies especially to chemicals that are not PIC chemicals and fall only in part 2 of annex I, which is often confusing to third countries.

Providing information in the language of the importing country might improve the situation. Greater efforts to help importing countries respond to requests, with the Commission being more involved including in a co-ordination role, may also help. The Commission has already taken such actions where possible and will continue to do so. These have had some effect. However overall the situation has not improved significantly and is unlikely to do so in the future without further measures.

Some Member States would favour abolishing the explicit consent requirement for chemicals in part 2 of Annex I; or failing that, revising the criteria for including chemicals in that part of Annex I. However the emerging consensus is that perhaps the best solution would be to maintain the procedure, but follow an approach whereby in cases where no response were to be received, subject to certain

conditions export could proceed as a temporary solution while further efforts are made to obtain consent.

In addition, the possibility of channelling all requests for consent through the Commission could be explored subject to the necessary resources being available. This would help to prevent any unnecessary overlaps or duplication of effort and may also help to avoid possible misunderstandings and confusion in importing countries, which receive export notifications from the Commission (via ECB) and requests for consent directly from the Member States.

4.3. Other points

Greater clarity is needed in the scope of the rules relating to export notifications (and where applicable explicit consent) in respect of preparations. This issue is already covered in the detailed notes for guidance for DNAs, which make it clear that preparations are only subject to the export notification and explicit consent requirements (where applicable) when they contain a chemical(s) listed in the relevant part(s) of Annex I of the Regulation to the extent that its presence is such that it could trigger labelling, irrespective of the presence of any other substances in the preparation. This should be reflected in the Regulation itself.

It has been suggested that export notifications should include information about the expected quantities of export each year so that the importing country has a clearer overall picture. Making clearer the intended use in export notifications would also be helpful. Often importing countries request further information of these kinds.

The Regulation's definition of 'exporter' can give rise to some problems in relation to the export notification requirement for goods that are delivered by EC manufacturers or distributors to non-EU based traders who then export the goods. This has been addressed in the detailed notes for guidance for DNAs, but needs to be covered in the Regulation itself so that there is a harmonised approach.

The procedure for handling export notifications from third countries is not optimal. The majority of these notifications come from the USA. Hopefully, once the US starts sending all the notifications directly to the Commission, the procedure will function more smoothly.

Several Member States commented on the difficulties of obtaining information on imports of Annex I chemicals, linking this to the procedure for export notifications from third countries. However such notifications normally do not relate to Annex I chemicals so information contained therein is unlikely to help Member States in fulfilling their reporting obligations. One comment was that the provision be dropped. However such information aids transparency and is useful for monitoring purposes to assess the impact and effectiveness of the Regulation and Community chemicals legislation more generally.

5. CONCLUSIONS

Regulation 304/2003 has been in operation for 3 years. During this time the workload for the DNAs has increased as exporters have become more familiar with the rules and more chemicals have been added to the different procedures. Overall the amount of DNA resources involved is not significant. The administrative burden for exporters and the authorities remains reasonable, although some authorities have encountered problems. The workload will continue to increase, but overall this should not prove unduly burdensome provided that the necessary resources continue to be available at national and EU level.

Overall the procedures of the Regulation have proved effective and functioned well. The main problem has been the delays in obtaining responses to requests for explicit consent. The number of such cases is much higher than could have been anticipated causing additional workload. It has added significantly to the administrative burdens on exporters, DNAs and the Commission. It has also disadvantaged EU exporters vis-à-vis competitors without necessarily adding to the protection of human health and the environment in importing countries. The situation as regards chemicals listed in part 2 of Annex I is particularly problematic.

Although there were initial problems with EDEXIM caused by difficulties in adapting the database to accommodate all the Regulation's requirements in full and meeting user's needs, much progress has been made in addressing these problems. In particular, the planned 'Enterprise' version will simplify and speed up the process.

Co-operation between Member States and the Commission is excellent. Generally the information circulates smoothly between the different parties. However the flow of information with importing countries could be improved.

To date there appear to have been no major problems of non-compliance with the rules.

The importance of enforcement has been emphasised, in particular the role of customs authorities in this regard. Closer collaboration with customs is needed. There is also widespread support for additional tools to help facilitate the work of customs control, particularly as regards exports.

There are also a number of more minor issues where the scope of the rules could be clarified.

3. Reply from H. E. Kouadio Mermoz Kouassi, Ministre et par délégation, le directeur de cabinet, Ministère de l'environnement, des eaux et forêts, Côte d'Ivoire, 13 June 2008

MINISTRE DE L'ENVIRONNEMENT,
DES EAUX ET FORÊTS

LE CABINET



0473

Réf. /MINEEF/CAB/DGE/DPEC/VI

REPUBLIQUE DE COTE D'IVOIRE
Union-Discipline-Travail

Abidjan, le 13 JUIN 2008

A
Monsieur le Secrétaire Exécutif
de la Convention de Rotterdam
FAX : 41 22 917 80 82

GENEVE

Objet : Evaluation du coût de la mise en œuvre
de la Convention de Rotterdam en
Côte d'Ivoire.

Monsieur le Secrétaire Exécutif,

Suite à votre correspondance en date du 18 avril 2008 relative à l'objet
susmentionné,

J'ai l'honneur de vous transmettre l'évaluation du coût de la mise en œuvre de
la Convention de Rotterdam en Côte d'Ivoire à titre de contribution aux travaux de la
COP4.

La présente évaluation a pris en compte les recommandations de l'atelier
organisé par l'UNITAR et le Secrétariat de la Convention de Rotterdam sur la mise en
œuvre de ladite convention, tenu en janvier 2008, à Abidjan.

En vous souhaitant bonne réception, je vous prie d'agréer, Monsieur le
Secrétaire Exécutif, l'expression de ma considération distinguée.



P/Le Ministre et par délégation
Le Directeur de Cabinet

KOUASSI Kouadio Mermoz

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EVALUATION DU COUT DE LA MISE EN ŒUVRE DE LA CONVENTION DE ROTTERDAM En COTE D'IVOIRE

Article 4 : Autorité Nationale Désignée (AND)

Priorités (Objectifs)	Activités	Budget estimatif (USD)
Fournir les ressources nécessaires à l'AND	- Equiper l'AND des technologies de l'information (PC, imprimantes, photocopieur, abonnement à l'Internet ...)	30,000

Article 5 : Procédure applicable aux produits chimiques interdits ou strictement réglementés

Priorités (Objectifs)	Activités	Budget estimatif(USD)
1-Interdire ou strictement réglementer les produits chimiques et pesticides dangereux	- faire l'inventaire des produits chimiques industriels en vue d'élaborer des textes juridiques visant à interdire ou à réglementer ces produits au niveau national,	150,000
	- Promouvoir les activités des recherches sur l'évaluation des risques des produits chimiques et pesticides dangereux pour leur inscription en annexe III.	150,000
2- Etablir un cadre réglementaire pour recueillir les informations en vue de la notification de réglementation finale des produits chimiques et pesticides interdits ou strictement réglementés.	- Création d'un comité d'homologation des produits chimiques industriels,	15,000
	- Création d'un bulletin d'information et de diffusion relatif aux décisions adoptées concernant la gestion des produits chimiques. - sensibilisation des structures concernées par la gestion des produits chimiques	50,000

Article 6 : Procédure applicable aux préparations pesticides extrêmement dangereuses

Priorités (Objectifs)	Activités	Budget estimatif(USD)
Evaluer les cas d'accident et d'empoisonnement dus aux préparations des pesticides extrêmement dangereuses	<ul style="list-style-type: none"> - Mettre en place un système de collecte de données pour identifier des préparations pesticides extrêmement dangereuses auxquelles les utilisateurs sont exposés en vue de leur soumission en annexe III - Mettre en place un système de contrôle et de suivi sur l'utilisation des pesticides et les incidents de contamination. 	30,000
Soumettre des propositions aux nouvelles de préparation pesticides extrêmement dangereuses à l'annexe III	<ul style="list-style-type: none"> - Etablir un rapport des données nationales regroupant toutes les informations spécifiques à l'annexe IV partie 1, - Organiser des ateliers des formations sur la procédure de soumission. 	50,000 30,000 20,000

Article 10.1-8 : Obligations afférentes aux importations de produits chimiques inscrits à l'annexe III

Priorités (Objectifs)	Activités	Budget estimatif(USD)
Communiquer des réponses d'importation au Secrétariat des produits de la Convention de Rotterdam.	<ul style="list-style-type: none"> - Elaborer des textes réglementaires concernant les produits chimiques industriels. - Mettre en place un système d'information concernant les parties prenantes de la soumission aux réponses d'importations. 	5,000
Renforcer le contrôle et le suivi d'importation des produits chimiques	<ul style="list-style-type: none"> - Renforcer les capacités de la douane et autres services intervenant dans la chaîne de contrôle de l'importation des produits chimiques, - Mettre en place un système de suivi concernant l'importation des produits chimiques notamment ceux de la Convention de Rotterdam 	150,000

Article 11 : Obligations afférentes aux exportations de produits chimiques inscrits à l'annexe III

Priorités (Objectifs)	Activités	Budget estimatif(USD)
Les exportateurs doivent respecter les décisions d'importation des pays importateurs	<ul style="list-style-type: none"> - Organiser des campagnes de sensibilisation à l'endroit des industriels dans le but de respecter les obligations d'exportation, - Organiser des ateliers de formation des douaniers en matière d'étiquetage et du code douanier harmonisé. - Fournir les ressources nécessaires à l'Autorité Nationale Désignée pour diffuser les informations relatives aux décisions d'importation et pour recueillir les renseignements sur les intentions des exportateurs d'exporter es produits. 	30,000 20,000 5,000

Article 12 et 13 : Notification d'exportation et renseignements devant accompagner les produits chimiques exportés

Priorités (Objectifs)	Activités	Budget estimatif(USD)
La notification d'exportation doit d'être accompagnée des renseignements spécifiques et les fiches de données de sécurité	- Collecter les informations nécessaires pour les notifications d'exportation	20,000
	- Mettre en place des textes juridiques pour respecter l'utilisation des codes douaniers, aux règles d'étiquetage.	
	- Organiser un atelier de formation à l'endroit des parties prenantes par rapport à la connaissance des documents accompagnant la notification d'exportation.	20,000

Article 14 : Echange de renseignements

Priorités (Objectifs)	Activités	Budget estimatif(USD)
La population a accès à l'information concernant la mise en œuvre de la Convention de Rotterdam	- Etablir un site Internet sur la gestion des produits chimiques,	60,000
	- Mettre en place un système de vulgarisation des textes juridiques relatifs à la gestion des produits chimiques.	5,000
Améliorer la connaissance et l'éducation du public en matière de gestion des produits chimiques.	- Organiser des campagnes de sensibilisation du public,	150,000
	- inclure dans le système éducatif des jeunes, la gestion des produits chimiques.	
	- Elaborer des brochures relatives à la gestion des produits chimique à l'endroit des jeunes	10,000

Article 15 : Application de la convention

Priorités (Objectifs)	Activités	Budget estimatif(USD)
Coopérer à l'application de la convention au niveau sous régional, régional et mondial.	- Organiser des ateliers périodiques sous régional sur l'application de la convention	
	- Mettre en place un système régional de communication concernant l'application de la Convention.	

Récapitulatif de l'évaluation de la mise en œuvre de la Convention de Rotterdam en Côte d'Ivoire

Activités	Evaluation du budget	
Article 4 : Autorité Nationale Désignée (AND)	30,000	3%
Article 5 : Procédure applicable aux produits chimiques interdits ou strictement réglementés	365,000	36,5%
Article 6 : Procédure applicable aux préparations pesticides extrêmement dangereuses	130,000	13%
Article 10.1-8 : Obligations afférentes aux importations de produits chimiques inscrits à l'annexe III	155,000	15,5%
Article 11 : Obligations afférentes aux exportations de produits chimiques inscrits à l'annexe III	55,000	5,5%
Article 12 et 13 : Notification d'exportation et renseignements devant accompagner les produits chimiques exportés	40,000	4%
Article 14 : Echange de renseignements	225,000	22,5%
TOTAL	1,000,000	100%

4. Reply from Mr. Thomas Kolly, Federal Office for the Environment, Switzerland, 13 June 2008



Schweizerische Eidgenossenschaft
Confédération suisse
Confederazione Svizzera
Confederaziun svizra

Federal Department of the Environment,
Transport, Energy and Communications DETEC
Federal Office for the Environment FOEN

CH-3003 Berne, FOEN, MAA

Secretariat for the Rotterdam Convention
United Nations Environment Programme (UNEP)
11-13 Chemin des Anémones
CH-1219 Châtelaine GE
Switzerland

Reference: H245-2173
Your reference:
Our reference: MAA
Contact person: MAA
Berne, June 13, 2008

Estimated cost for the implementation of the Rotterdam Convention in Switzerland

Dear Sir,

We refer to your letter of April 18th 2008, dealing with the paragraph 6 of the decision RC-3/5 of COP3 inviting Parties to provide information on which to base an assessment of the cost of implementing the provisions of the Convention.

Please find enclosed an estimation of the cost of implementing the Rotterdam Convention in Switzerland. We differentiated two types of costs: (1) Unique implementation costs (2) Regular yearly costs due to the execution of the Rotterdam Convention.

We look forward to further collaborations

Kind regards

Federal Office for the Environment FOEN

Thomas Kolly
Thomas Kolly

Enclosures: Estimated cost for the implementation of the Rotterdam Convention

-

Copy to:

- Paul Garnier, Permanent Mission of Switzerland in the United Nations Office, FDFA, Geneva
- Internal : KOY, Ka, We, HBI, PFR, EG

Sarah Maillefer
FOEN, 3003 Berne
Telephone +41 31 322 83 44, Telefax +41 31 324 79 78
sarah.maillefer@bafu.admin.ch
<http://www.environment-switzerland.ch>

052/2006-02029/13/01/01/02/02/H245-2173

Estimated cost for the implementation of the Rotterdam Convention in Switzerland in CHF

Activities	Annual cost due to execution of Rotterdam Convention	Implementation cost
Training of government officials such as DNA , customs and boarder control officials	20 000	60 000
Establishment and update of a website explaining the PIC procedure and containing all important information such as a link to importing responses of the Parties. Export notification forms can also be downloaded.	5000	35 000
Establishment and execution of the export notification procedure to ensure all required information is collected from the industry and the DNA of the importing country is provided with the information.	20 000	10 000
Establishment and execution of importing procedure to ensure timely acknowledgement of first export notification received from an exporting Party.	20 000	10 000
Information exchange between DNAs and border control officials: communication of the received and sent export notifications, communication of suspect goods entering the country.	20 000	
Implementation of RC requirements into the national law: creation of PIC Ordinance. Regular updates of PIC Ordinance	20 000	120 000
Regular updates and communication to PIC secretariat of Swiss import responses	5000	
Submission of regulatory actions to PIC secretariat	15 000	
Participation at RC international meetings: COPs, CRCs...etc.	75 000	
Cooperation with industry associations (SGCI) to implement and execute RC	10 000	55 000
Total	210 000	290 000

5. Reply from Ms. Anahit Aleksandryan, Head of Hazardous Substances and Waste Management Department, Ministry of Nature Protection, Republic of Armenia, 23 June 2008

Assessment of the Costs of Implementing the Provisions of the Rotterdam Convention in the Republic of Armenia

Article 5: Procedures for banned or severely restricted chemicals

Priorities	Activities	Cost/budget (USD)
1. Preparation of the draft of national "Law on chemicals"	1.1 Review and analysis of existing international legislative documents on relevant issues 1.2 Conduction of consultation and discussions on principles and approaches to be worked out on chemicals management issues with stakeholders involved in this area 1.3 Preparation of draft document "Law on chemicals" 1.4 Circulation of the draft "Law on chemicals" for comments and recommendation 1.5 Amendment/revision and preparation of final version of "Law on chemicals"	50,000
2. Review of banned and severely restricted chemicals notified by other Parties to consider them in the national legislation	2.1 Review and analysis of available information on banned and severely restricted chemicals provided by the other Parties 2.2 Consultations and discussions with scientists/researchers on risk assessment of hazardous chemicals and pesticides anticipated to be listed in the PIC List	5,000
3. Strengthening the procedure of submission of notifications of final regulatory actions (NFAs) for banned and severely restricted chemicals	3.1 Training on preparation of NFAs 3.2 Preparation of appropriate normative-methodic documents for procedure of information gathering and submission 3.3 Establishment of a procedure/framework for gathering and submission of required information	20,000

Article 6: Procedures for severely hazardous pesticides formulations

Priorities	Activities	Cost/budget (USD)
4. Establishment of system on information gathered on pesticides poisoning incidents	4.1 Review and analysis of existing international experience on relevant issues 4.2 Conduction of consultation and discussions with key stakeholders involved in this area 4.3 Preparation of appropriate normative-methodic documents for procedure of information gathering and submission 4.4 Establishment of a procedure/framework for gathering and submission of required information 4.5 Summarizing and review of information	20,000

Article 10: Obligations in relation to import of chemicals listed in Annex III

Priorities	Activities	Cost/budget (USD)
5. Import responses of listed chemicals are submitted to the Secretariat	5.1 Review and analysis of available information 5.2 Conduction of consultation and discussions with key stakeholders involved in this area 5.3 Training for government officials on bans, restriction and control issues 5.4 Training on capacity building for customs officials on regulatory system on control actions, labeling and harmonized custom code application, etc. 5.5 Establishment of a procedure to ensure timely decision making and submission of import responses (use of guidance documents as a basis for making informed import decisions)	50,000

Article 11: Obligations in relation to export of chemicals listed in Annex III

Priorities	Activities	Cost/budget (USD)
6. Exporters comply with import decisions of importing Parties	6.1 Awareness raising seminar for concerned stakeholders (industrial, agricultural sectors) on how to comply with import decisions 6.2 Establishment of the procedures to ensure that import decisions are communicated to stakeholders within the country 6.3 Providing the sufficient resources to DNA for dissemination of information on import decisions and gathering information on exporters intentions	10,000
7. Importing Parties receive assistance to obtain further information and strengthen national capacity on chemicals management	7.1 Compilation and sharing information on chemicals safety 7.2 Awareness raising workshop for representatives of key stakeholders (industrial, agricultural sectors), civil society, researchers, NGOs, etc.	10,000

Article 12 and 13: Export notification and information to accompany exported chemicals

Priorities	Activities	Cost/budget (USD)
8. Compliance with obligations on export notification	8.1 Gathering the information required for export notification 8.2 Establishment of the procedures to ensure timely notifying the DNA about export issues 8.3 Ensuring the institutional capacities for information exchange and coordination between the relevant authorities	2,500

Priorities	Activities	Cost/budget (USD)
9. Exported chemicals are accompanied with appropriate information, e.g., customs codes, use of harmonized system, labeling and safety data sheets	9.1 Provide/ensure the provisions for the implementation and enforcement of legal obligations concerning the use of customs codes, labeling, safety sheets 9.2 Training on capacity building for customs officials on regulatory system on control actions, labeling, harmonized system and custom code application, etc.	2,500

Article 14: Information exchange

Priorities	Activities	Cost/budget (USD)
10. The public and other Parties have appropriate access to information relevant to the Rotterdam Convention implementation	10.1 Gathering, analysis relevant information 10.2 Establishment of national Register/data base on chemicals and wastes, including POPs 10.3 Development of the internet/website on chemicals and pesticides management issues, legal documents, etc. 10.4 Preparing the educational programmes aimed at the awareness raising on chemicals and pesticides hazards, posed threat to the human health and environment	10,000
11. Preparation of proposals for educational programmes on chemicals and pesticides management, chemical safety issues, including POPs	11.1 Development and dissemination of educational materials for specific group of population (pupils, students, farmers, etc.) 11.2 Application of synergy principles in management on chemicals, pesticides and waste, including POPs issues, in programmes on environmental education	20,000

Priorities	Activities	Cost/budget (USD)
12. Public awareness raising on chemicals and pesticides management issues, including POPs	12.1 Conduction of seminars and campaigns for general public 12.2 Establishment of Regional Centers for ecological education in marzes (districts) of Armenia 12.3 Preparation and submission of training materials for schoolchildren, students, workers of industrial and energy enterprises, medical doctors, farmers, etc.	20,000

Article 15: Implementation of Rotterdam Convention

Priorities	Activities	Cost/budget (USD)
13. Insuring the effective implementation of the Convention, cooperation at subregional, regional and international levels	13.1 Establishment of National Center on information exchange 13.2 Providing the authorities with technical capacities to enable international cooperation and information exchange, especially using information and communication technologies	10,000

TOTAL: 230,000

6. Reply from Dr. André Odenbreit Carvalho, Head of Division for Environmental Policy and Sustainable Development, Ministry of Foreign Relations, Brazil, 8 July 2006

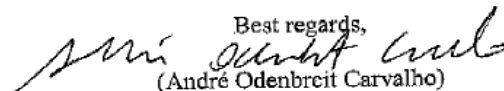


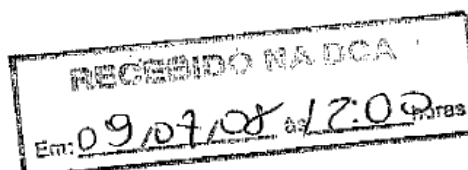
FEDERATIVE REPUBLIC OF BRAZIL
MINISTRY OF FOREIGN RELATIONS
DEPARTMENT OF ENVIRONMENT AND SPECIAL AFFAIRS
Division of Environmental Policy and Sustainable Development
Phone: (55-61) 3411-9289 Fax: (55-61) 3411-9288

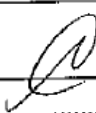
Tipo FAX	Anexos 1	Págs. 2	Destinatário Secretariat of the Rotterdam Convention FAO Rome, Italy Fax: (+39-06) 5705-6347
Caráter Ostensivo	Prioridade Urgentíssimo		
Distribuição DPAD			
Índice FAO-PNUMA.Desenvolvimento Sustentável. Segurança Química. Convenção de Roderdã. Informação sobre custos de implementação.			Classificação WMAM
Número 40			Data 08/07/2008

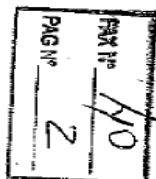
Dear Sir/Madam,

In reply to your letter dated 18 April 2008, please find attached information on assessment of the costs of implementing the provisions of the Rotterdam Convention in Brazil,

Best regards,

(André Odenbreit Carvalho)
Head of the Division for Environmental Policy
and Sustainable Development



Minutado em 8/7/2008 c/F 08.07.08 Conv. Roterdã costs of implementation.doc		Autorizo	
			
Expedido em às via por			



MINISTÉRIO DO MEIO AMBIENTE
SECRETARIA DE MUDANÇAS CLIMÁTICAS E QUALIDADE AMBIENTAL
DEPARTAMENTO DE QUALIDADE AMBIENTAL NA INDÚSTRIA
GERÊNCIA DE SEGURANÇA QUÍMICA

NOTA TÉCNICA nº 13 /2008/GSQ/DQAM/SMCQ.

Assunto: Assessment of the cost of implementing Rotterdam Convention in Brazil

Em, 13 de junho de 2008.

Priorities / Objectives	Activities	Estimated Budget (USD\$)
Procedures for Banned or Severely Restricted Chemicals	- Develop a inventory of the legislation concerning the forbiddance and severe restriction of chemicals based on environment and health issues in Brazil	30,000
Procedures for Severely Hazardous Pesticide Formulations	- Develop a technical document identifying the main pesticides formulations that have notified problems under conditions of use in Brazil, for considerations by the government	50,000
Obligations in Relation to Imports / Exports of Chemicals Listed in Annex III	- Develop a national guidance document with procedures related to the importation and exportation of products listed in Annex III, and other products that are forbidden or severely restricted in Brazil including the identification of exporters and importers of chemicals listed in Annex III and obligations of each process participant (consent parties, exporter, importer)	60,000
Information Exchange	- Build on a national website with all information related to the Rotterdam Convention, to promote the information exchange among exporter, importer, government institutions	30,000
	- Second Capacity Building National Seminar on the Rotterdam Convention	30,000
	- Second Capacity Building Regional Seminar on the Rotterdam Convention	50,000
Total		250,000

7. **Mr. Eliakim Sakayoya, Directeur, Département de la Protection des Végétaux, Ministère de l'Agriculture et de l'Elevage, Burundi, 29 July 2008**

COUTS DE L'APPLICATION DES EXIGENCES PARTICULIERES DE LA CONVENTION DE ROTTERDAM PAR LE BURUNDI

ARTICLE 5. Procédure applicable aux produits chimiques interdits ou strictement réglementés

Priorités (Objectifs)	Activités à mener	Coût estimatif (\$ US)
1. Des produits chimiques interdits ou sévèrement réglementés annoncés par d'autres parties sont passés en revue pour des considérations dans la législation phytosanitaire du Burundi	1.1. Etudier 50 produits chimiques interdits ou strictement réglementés annoncés par d'autres parties	2 000
	1.2. Promouvoir les activités de recherche sur l'évaluation des risques des produits chimiques dangereux et des pesticides prévus pour être inclus dans le futur dans la Procédure PIC.	300 000
2. Renforcement de procédure de soumission de l'avis des actions finales de normalisation pour la notification des produits chimiques interdits ou strictement réglementés	2.1. Conduire la formation sur la préparation de l'avis des actions finales de normalisation 2.2. Établir un(e) cadre /procédure pour le recueil et la soumission des informations requises. 2.3 Établir une procédure standard pour la soumission de notification des produits chimiques interdits ou sévèrement réglementés	10 000

ARTICLE 6. Procédure applicable aux préparations pesticides extrêmement dangereuses

Priorités (Objectifs)	Activités à mener	Coût estimatif (\$ US)
1. Les informations exigées sur des incidents d'empoisonnement de pesticides sont disponibles	1.1. Conduire les consultations sur le système de compte rendu parmi les agences compétentes afin de présenter le contexte et les buts de la forme de rapport sur les formulations extrêmement dangereuses de pesticides (FEDPs) et la possible recherche opérationnelle	40 000
	1.2. Établir le procédé pour identifier les gammes des pesticides auxquels les fermiers sont exposés	6 000
	1.3. Établir le rapport sur les incidents et les systèmes de collecte des données	35 000
2. La soumission de la proposition pour les FEDPs qui contiennent l'information à spécifier en annexe IV	2.1. Compiler les données locales pour identifier et évaluer les FEDPs en vue d'appuyer la proposition pour les FEDPs	37 000
	2.2. Conduire la formation sur la préparation des propositions pour les FEDPs	13 000

ARTICLE 10. Obligations afférentes aux importations de produits chimiques inscrits à l'annexe III

Priorités (Objectifs)	Activités à mener	Coût estimatif (\$ US)
1. Des réponses d'importation des produits chimiques énumérés sont soumises au Secrétariat	1.1. Établir un procédé pour assurer la prise de décision et la soumission opportune de la réponse d'importation (l'utilisation des documents de conseils de décision comme base pour prendre la décision informée d'importation)	4 000
	1.2. Conduire la formation sur la soumission des réponses d'importation à l'intention des fonctionnaires du gouvernement, des décideurs politiques et d'autres intervenants	12 000
2. Renforcement de la restriction à l'importation des produits chimiques	2.1. Renforcer la capacité des inspecteurs phytosanitaires aux postes frontières, des douaniers et des agents de la Police de l'Air, des Frontières et des Etrangers	80 000
	2.2. Établir les indicateurs de surveillance et de suivi concernant les importations des produits chimiques dans la Convention	70 000

ARTICLE 11. Obligations afférentes aux exportations de produits chimiques inscrits à l'annexe III

Priorités (Objectifs)	Activités à mener	Coût estimatif (\$ US)
1. les exportateurs se conforment à la décision d'importation des parties d'importer	1.1. Établir les procédures pour s'assurer que des décisions d'importation sont communiquées aux dépositaires dans le pays	3 000
	1.2. Conduire les campagnes/conférences de sensibilisation pour le secteur industriel sur la façon de se conformer aux décisions d'importation	45 000
	1.3. Fournir les ressources suffisantes à l'Autorité Nationale Désignée (AND) pour diffuser l'information sur la décision d'importation et collecter l'information sur les intentions de l'exportateur d'exporter des produits chimiques	6 000
2. Les parties importatrices reçoivent de l'aide du haut sur demande appropriée afin d'obtenir de plus amples informations et pour renforcer leurs capacités de contrôle des produits chimiques	2.1. Compilation et partage d'information sur la sécurité chimique	12 500
	2.2. Prise de conscience sur les campagnes/conférences de sensibilisation	20 000

ARTICLE 12 et 13. Notifications d'exportation et renseignements devant accompagner les produits chimiques exportés

Priorités (Objectifs)	Activités à mener	Coût estimatif (\$ US)
1. Conformité aux engagements relatifs à l'avis d'exportation	1.1. Collecter les informations requises pour l'avis d'exportation 1.2. Établir un procédé pour assurer la reconnaissance au temps opportun du premier avis d'exportation reçu de la partie exportatrice 1.3. Établir un procédé pour s'assurer qu'un exportateur informe l'AND quand il prévoit d'exporter du territoire n'importe quelle substance qui a été sévèrement réglementée 1.4. Établir une procédure pour donner les notifications actualisées d'exportation et les deuxièmes notifications en temps opportun dues à certaines circonstances	25 000
2. Des produits chimiques exportés sont accompagnés d'une information appropriée, par exemple les codes douaniers, l'étiquetage et les fiches techniques de sécurité	2.1. Décréter, mettre en application et imposer les engagements légaux concernant l'utilisation des codes douaniers, l'étiquetage et des fiches techniques de sécurité 2.2. Former les officiels du gouvernement, les décideurs politiques et les dépositaires appropriés sur les informations accompagnant les produits chimiques exportés tels que l'étiquetage et le code harmonisé de douane,....	1 800 14 000

ARTICLE 14. Echange de renseignements

Priorités (Objectifs)	Activités à mener	Coût estimatif (\$ US)
1. Le public et les autres parties ont accès à l'information appropriée sur l'exécution de la Convention	1.1. Faciliter l'accès au site Web de la Convention de Rotterdam par l'octroi du matériel informatique et la connexion au Wireless	45 000
2. Amélioration de sensibilisation du public et d'éducation sur la gestion des produits chimiques et des pesticides	2.1. Organiser des ateliers, des conférences et des campagnes de conduite pour le grand public 2.2. Inclure dans les programmes d'éducation de la jeunesse la gestion des produits chimiques et des pesticides	75 000

ARTICLE 15. Application de la Convention

Priorités (Objectifs)	Activités à mener	Coût estimatif (\$ US)
1. Le public et les autres parties ont accès aux renseignements sur la manipulation des produits chimiques et la gestion des accidents et sur les solutions de remplacement moins dangereuses pour la santé humaine et l'environnement	1.1. Promouvoir et faciliter l'accès du public et d'autres parties aux renseignements 1.2. Renforcer les capacités juridiques du pays	50 000
2. Le pays est doté d'une base des données sur les produits chimiques	2.1. Collecter les données sur les produits chimiques industriels et les FEDPs utilisés dans le pays 2.2. Conduire des campagnes/ateliers de sensibilisation sur les produits chimiques industriels et les FEDPs	55 000

ARTICLE 16. Assistance technique

Priorités (Objectifs)	Activités à mener	Coût estimatif (\$ US)
1. Renforcement des infrastructures et des capacités permettant de gérer les produits chimiques et d'appliquer la Convention	1.1. Renforcer en équipement et produits consommables un laboratoire d'analyses des produits chimiques 1.2. Mettre en place un système de gestion des produits chimiques	250 000
2. Fourniture d'une assistance technique en matière de formation de la part des Parties dotées de programmes plus avancés de réglementation des produits chimiques	2.1. Former du personnel dans la gestion des produits chimiques durant toute leur vie 2.2. Etablir un réseau de collecte au niveau national de renseignements et d'informations sur les produits chimiques	200 000
TOTAL		1 411 300

ESTIMATION RÉCAPITULATIVE DES COÛTS

Activités	Coût estimatif	
	\$ US	%
ARTICLE 5. Procédure applicable aux produits chimiques interdits ou strictement réglementés	312 000	22
ARTICLE 6. Procédure applicable aux préparations pesticides extrêmement dangereuses	131 000	9
ARTICLE 10. Obligations afférentes aux importations de produits chimiques inscrits à l'annexe III	166 000	12
ARTICLE 11. Obligations afférentes aux exportations de produits chimiques inscrits à l'annexe III	86 500	6
ARTICLE 12 et 13. Notifications d'exportation et renseignements devant accompagner les produits chimiques exportés	40 800	3
ARTICLE 14. Echange de renseignements	120 000	9
ARTICLE 15. Application de la Convention	105 000	7
ARTICLE 16. Assistance technique	450 000	32
TOTAL	1 411 300	100

8. Reply from H. E. Mme. Aïchatou Mindaoudou, Ministre, Ministère des affaires étrangères et de la coopération, République du Niger, 11 August 2008



REPUBLIQUE DU NIGER

MINISTÈRE DES AFFAIRES ETRANGERES
ET DE LA COOPERATION

DIRECTION DES NATIONS UNIES ET DES
ORGANISATIONS INTERNATIONALES

N° 04-95-2 /MAE/G/DIRNU/OI/ID/MM MM

Niamey le 21 JUL 2008

LA MINISTRE

A

Monsieur le Secrétaire
Exécutif de la Convention de
Rotterdam

O B J E T : Coûts de l'application des exigences
particulières de la Convention de Rotterdam

Monsieur le Secrétaire Exécutif,

Suite à votre lettre en date du 18 avril 2008 relative aux coûts de l'application des exigences particulières de la convention de Rotterdam, j'ai l'honneur de vous faire parvenir ci-joint, un document relatif à l'étude des options possibles pour des mécanismes de financement durables et viables en vue de la mise en œuvre de la convention de Rotterdam.

Tout en vous remerciant pour votre constante collaboration, je vous prie d'agréer Monsieur le Secrétaire Exécutif, l'assurance de ma haute considération./.

P. J. 01



Mme AÏCHATOU MINDAOU DOU

REPUBLIQUE DU NIGER
 MINISTRE DE L'ENVIRONNEMENT ET DE LA LUTTE CONTRE LA DESERTIFICATION
 DIRECTION GENERALE DE L'ENVIRONNEMENT ET DES EAUX ET FORETS
 DIRECTION DE L'ENVIRONNEMENT ET DU CADRE DE VIE

EVALUATION DES COUTS DE MISE EN ŒUVRE DE LA CONVENTION DE ROTTERDAM AU NIGER

Article 4 : Autorités nationales désignées (AND)

Priorités (objectifs)	Activités	Budget estimatif (\$US)
Mise en place officielle de l'AND de la Convention de Rotterdam au sein du Ministère de l'Environnement et de la Lutte Contre la Désertification (BP : 578 Niamey/Niger ; Tél : (+227)20733329 ; Email : dgeef@intnet.ne	<ul style="list-style-type: none"> - Développer les outils à utiliser pour structurer le travail de l'AND - Elaborer un mandat décrivant les modalités de prise de décision et décrivant les rôles, les engagements et les attentes des divers acteurs - Elaborer un plan de travail des activités de l'AND - Redynamiser les activités du REIC 	3000
Total	-	3.0000

Article 5 : Procédure applicable aux produits chimiques interdits ou strictement réglementés

Priorités (objectifs)	Activités	Budget estimatif (\$US)
1. Prise en compte des produits chimiques interdits ou strictement réglementés dans la législation nationale ;	1.1 Passer en revue la législation applicable au secteur dans son analyse de situation et à formuler des recommandations sur l'évolution de la réglementation ou la création de nouvelles lois ;	5000
	1.2 Promouvoir les activités de recherche sur l'évaluation des risques et/ou dangers des produits chimiques	15000

2. Mise en place d'un mécanisme facilitant la soumission des mesures de réglementation finale	2.1 Créer un groupe thématique chargé de la soumission de la mesure de réglementation finale ;	1000
	2.2 renforcer les capacités du groupe thématique ;	10000
	2.3. Etablir une procédure pour rassembler et soumettre les informations requises	4000
Total		35.000

Article 6 : Procédure applicable aux préparations pesticides extrêmement dangereuses

Priorités (objectifs)	Activités	Budget estimatif (\$US)
1. Prise en compte des préparations pesticides extrêmement dangereuses dans la législation nationale	1.1. Passer en revue la législation applicable aux préparations des pesticides extrêmement dangereuses dans son analyse de situation et à formuler des recommandations sur l'évolution de la réglementation ou la création de nouvelles lois ;	5000
	1.2. Promouvoir les activités de recherche sur l'évaluation des risques et/ou dangers dus aux préparations des pesticides extrêmement dangereux	20000
2. Mise en place d'un mécanisme simple et efficace de contrôle des préparations pesticides extrêmement dangereuses	2.1 Renforcer la capacité des laboratoires et des centres de recherches habilités à effectuer les analyses des pesticides en moyens adéquats pour le contrôle des formulations ;	30 000
	2.2 Définir les méthodes de contrôle de composition, de la qualité et de l'évaluation des pesticides à l'égard de l'homme, des animaux et de l'environnement ;	7000
3. Les conditions et procédures d'homologation des pesticides sont créées	3.1 Tenir un registre des homologations et autorisations ;	10000
	3.2 Etablir une liste des pesticides d'emploi interdit ou sévèrement réglementé ;	10000
	3.3 Conduire des formations sur la préparation des pesticides extrêmement dangereux	10.000
Total		92.000

Article 10.1-8 : Obligations afférentes aux importations de produits chimiques inscrits à l'annexe III

Priorités (objectifs)	Activités	Budget estimatif (\$US)
1. Communiquer à toutes personnes physiques ou morales les réponses concernant l'importation de produits chimiques inscrits à l'annexe III de la Convention	1.1. Etablir une procédure pour assurer régulièrement la prise de décisions et soumettre des réponses sur les importations ;	1000
	1.2. Conduire des formations pour les agents de l'Etat et les autorités concernant la communication des réponses sur l'importation ;	15.000
	1.3. Vulgariser les textes législatifs et réglementaires en matière d'importation des produits chimiques inscrits à l'annexe III de la Convention	5000
2. Le contrôle d'importation des produits chimiques est renforcé	2.1. Renforcer la capacité des agents de douanes et des garde-frontières ;	20000
	2.2. Créer un dispositif efficace de surveillance et mettre en place un mécanisme administratif d'importation des produits chimiques.	20000
total		61.000

Article 10.9 Obligations concernant la production nationale destinée à l'utilisation intérieure et les importations de toute provenance

Priorités (objectifs)	Activités	Budget estimatif (\$US)
1. Les renseignements de l'annexe V sont exigés pour les importations de toute provenance	1.1. Vérifier la conformité des importations par rapport aux renseignements indiqués	10000
Total		10.000

Article 11 : Obligations afférentes aux exportations de produits chimiques inscrits à l'Annexe III

Priorités (objectifs)	Activités	Budget estimatif (\$US)
1. Les parties exportatrices se conforment à la réglementation en vigueur	1.1. Faire connaître la législation en matière d'exportation des produits chimiques à travers des campagnes de sensibilisation, des séminaires etc.	5000
	1.2. Appliquer la réglementation en vigueur ;	10.000
	1.3. Doter l'AND de moyens adéquats pour la diffusion et la formation	10.000
2. Les parties importatrices reçoivent une assistance appropriée pour renforcer leur capacité à gérer les produits chimiques importés	2.1 Favoriser l'échange d'informations des produits chimiques dont les dangers ont été adéquatement identifiés et évalués ;	5.000
	2.2. Organiser des campagnes et séminaires en vue d'une prise de conscience des impacts des produits chimiques sur la santé et l'environnement	10000
total		40.000

Article 12 et 13 Notification d'exportation et renseignements devant accompagner les produits chimiques exportés

Priorités (objectifs)	Activités	Budget estimatif (\$US)
1. Se conformer aux obligations sur la notification d'exportation	1.1 Collecter les informations requises pour les notifications d'exportation ;	10.000
	1.2 Elaborer une fiche standard de notification de mouvement des produits chimiques ;	
	1.3 Développer des capacités de détecter les importations et exportations illicites ;	
	1.4 Etablir une procédure qui garantit la prise en compte de l'ensemble des renseignements indiqués à l'annexe V de la notification d'exportation ;	
2. Fournir tous les renseignements devant accompagner les produits chimiques exportés	2.1 Former et renforcer les capacités sur la classification, l'étiquetage des fiches de sécurité ;	10000
	2.2 Mettre en place un registre national des produits chimiques	5000
total		35.000

Article 14 : Echanges de renseignements

Priorités (objectifs)	Activités	Budget estimatif (\$US)
1. Mise à la disposition de tous les utilisateurs, y compris le public des informations suffisantes sur la sécurité des produits chimiques ;	1.1 Créer un réseau national d'échange d'information chimique ;	7000
	1.2 Etablir un site Internet ;	5.000
2. Sensibilisation du public sur la gestion rationnelle des produits chimiques	2.1 Améliorer la coordination des activités en matière d'éducation, de formation et d'assistance techniques ;	10.000
	2.2 Intégrer la gestion des produits chimiques dans les programmes scolaires ;	10000
	2.3 Former des formateurs et autres éducateurs ;	10000
	2.4 Organiser des campagnes et séminaires pour le public	15.000
Total		62.000

Article 15 : Application de la Convention

Priorités (objectifs)	Activités	Budget estimatif (\$US)
1. Création d'une base de données contenant des renseignements sur la sécurité des produits chimiques	1.1 Collecter, traiter, analyser et diffuser l'information sur la sécurité chimique.	30.000
Total		30.000

Résumé du coût estimatif pour l'application de la Convention de Rotterdam au Niger

Activités	Budget estimatif	
	(\$US)	%
Article 4 : Autorités nationales désignées (AND)	3000	0.8
Article 5 : Procédure applicable aux produits chimiques interdits ou strictement réglementés	35.000	10.32

Article 6 : Procédure applicable aux préparations pesticides extrêmement dangereuses	92.000	16.57
Article 10.1-8 : Obligations afférentes aux importations de produits chimiques inscrits à l'annexe III	61.000	22.44
Article 10.9 Obligations concernant la production nationale destinée à l'utilisation intérieure et les importations de toute provenance	10000	2.7
Article 11 : Obligations afférentes aux exportations de produits chimiques inscrits à l'Annexe III	40.000	9.5
Article 12 et 13 Notification d'exportation et renseignements devant accompagner les produits chimiques exportés	55000	5.01
Article 14 : Echanges de renseignements	62.000	16.84
Article 15 : Application de la Convention	30.000	8.1
TOTAL	368.000	100

9. **Dr. Halimatou, Tandeta Diallo, Directeur National P.O, Ministère du Développement Durable et de l'Environnement, République de Guinée, 25 August 2008**

MINISTERE DU DEVELOPPEMENT DURABLE
ET DE L'ENVIRONNEMENT

REPUBLIQUE DE GUINEE
Travail - Justice - Solidarité

DIRECTION NATIONALE DE LA PREVENTION
ET DE LA LUTTE CONTRE LES POLLUTIONS ET
NUISANCES

N° 018 /DNPLPN/2008

conakry, le 25 / 08 / 2008

Le Directeur National

Au
Secrétaire Exécutif du Secrétariat
de la Convention de Rotterdam/ FAO
Villa Delle Terme di Caracalla
00100 Rome / Italy
Fax: + 3906 5705 3224
Email : Pic@fao.org

Objet : Mise en œuvre des décisions financières de la COP₃

Madame / Monsieur,

En référence à votre lettre du 04 Juin 2007 et du 18 Avril 2008, invitant les Parties à fournir les informations de base relatives aux coûts de l'application des exigences particulières de la Convention de Rotterdam. Conformément au paragraphe 6 de la décision Rc- 3/5 de la troisième réunion de la conférence des Parties.

Nous avons le plaisir de vous transmettre les informations sollicitées avec l'évaluation des coûts pour la mise en œuvre de la Convention de Rotterdam en Guinée

Ces informations sont obtenues à partir de la consultation du Plan National d'Action pour le Développement et le Plan National pour la mise en œuvre de la Convention de Rotterdam organisé en Guinée en Mars 2007.

Je vous prie de croire à l'assurance de notre Coopération sincère.

P/Le Directeur National P.O



Dr Halimatou Tandeta DIALLO



EVALUATION DES COUTS POUR LA MISE EN ŒUVRE DE LA CONVENTION DE ROTTERDAM EN REPUBLIQUE DE GUINEE

Article 5 : Procédure applicable aux produits chimiques interdits ou strictement réglementés

Priorités (objectifs)	Activités	Budget estimatif USD \$
1- Produits chimiques pros crits ou sévèrement contrôlés / Législation Nationale	1-1- Promouvoir la recherche des activités sur l'évaluation des risques des produits chimiques et pesticides dangereux anticipés/ liste PIC	200,000
2- Procédure de renforcement pour la soumission des notifications des actions réglementaires finales sur les produits chimiques pros crits ou sévèrement contrôlés	2-1- Organiser une formation sur la préparation des notifications des actions réglementaires finales sur les produits chimiques. 2-2- Etablir un cadre /Procédure pour collecter et soumettre l'information requise. 2-3- Etablir une procédure standard pour la soumission des NIAS sur les produits chimiques pros crits et sévèrement contrôlés	10,000

Article 10 : Obligations afférentes aux importations des produits chimiques inscrits à l'annexe III

Priorités (objectifs)	Activités	Budget estimatif USD \$
1- Les réponses d'importation des produits chimiques mis en liste sont soumises au Secrétariat	1-1 Etablir une procédure permettant une prise de décision temporaire et une soumission des réponses d'importation 1-2 Organiser une formation pour les agents et autorités gouvernementaux sur la soumission des réponses d'importation	1,000 1,000
2- Renforcement du contrôle d'importation des produits chimiques	2-1- Renforcer les capacités des officiers de contrôle des Douanes et des frontières 2-2- Etablir des procédures d'évaluation et d'élaboration de rapports concernant les importations des produits chimiques dans le cadre de la Convention	100,000

Article 11 : Obligations afférentes aux exportations de produits chimiques inscrits à l'annexe III

Priorités (objectifs)	Activités	Budget estimatif USD \$
1- Les exportateurs remplissent les conditions relatives aux décisions des parties importatrices par rapport à l'importation	1-1- Organiser des campagnes / séminaires pour le secteur industriel sur le respect des décisions relatives à l'importation	15,000
	2- 2- Fournir des ressources suffisantes aux DNAS pour la diffusion de l'information sur les décisions concernant l'importation et la collecte de l'information sur les intentions des exportateurs de produits chimiques	4,000
2- Les parties importatrices reçoivent une assistance sur les requêtes et de manières appropriées pour obtenir d'informations supplémentaires et renforcer leurs capacités pour la gestion des produits chimiques	2-1- Compilation et partage de l'information sur la sécurité chimique	10,000
	2-2- Campagnes/ séminaires d'information	10,000

Article 12 et 13 : Notification d'exportation /renseignements devant accompagner les produits chimiques exportés

Priorités (objectifs)	Activités	Budget estimatif USD \$
1- Conformer avec les obligations relatives aux notifications sur l'exportation	1-1- Obligation légale concernant l'utilisation des codes de Douanes, l'étiquetage et les fiches de données de sécurité	1,000
	2-2- Formation des agents gouvernementaux et des parties prenantes appropriées sur l'information qui accompagne les produits chimiques importés comme l'étiquetage et le système général harmonisé, etc....	10,000

Article 14 : Echange de renseignements

Priorités (objectifs)	Activités	Budget estimatif USD \$
1- Le public et d'autres parties ont l'accès convenable à l'information appropriée pour la mise en œuvre de la Convention	1-1- Etablir un site web Rc	30,000
2- Amélioration de l'information et l'éducation du public sur la gestion des produits chimiques et des pesticides	2-1- Organiser des séminaires et des campagnes pour le grand public 2-2- Inclure la gestion des produits chimiques et des pesticides dans les programmes d'éducation des jeunes	55,000

Estimation sommaire des coûts pour la mise en œuvre de la Convention de Rotterdam en Guinée

Activités	Budget estimatif USD \$	
	USD \$	%
Article 5 Procédure applicable aux produits chimiques interdits ou strictement réglementés	210, 000	47
Article 10 Obligations afférentes aux importations de produits chimiques à l'annexe III	102,000	23
Article 11 Obligations afférentes aux exportateurs de produits chimiques à l'annexe III	39,000	8,7
Article 12 et 13 Notification d'exportation /renseignements devant accompagnés les produits chimiques exportés	11,000	2,3
Article 14 Echange de renseignements	85,000	19
TOTAL	447,000	100

C. Letters addressed by the Secretariat based on elements listed in paragraph 8 of decision RC-3/5

1. Mr. Frank Pinto, GEF Coordinator, UNDP-GEF, cc. Mr. Yannick Glemarek, UNDP
2. Mr. Shafqat Kakakhel, Acting GEF Coordinator, UNEP Division of GEF Coordination, cc. Ms. Sheila Aggarwal-Khan, Acting Deputy Director, DGEF, Ms. Kristin McLaughlin, UNEP RONA
3. Mr. Steve Gorman, GEF Executive Coordinator, POPs/MP operations Environment Department, World Bank, cc. Mr. Rohit Khanna, World Bank
4. Mr. Dimitri Piskounov, Managing Director, Program Development and Technical Cooperation Division, UNIDO Permanent Missions in Geneva, cc. Mr. Edward Clarence-Smith, GEF Coordinator, UNIDO
5. Ms. Monique Barbut, Chief Executive Officer and Chairman, Global Environment Facility
6. Mr. Daniel Ponzi, GEF Coordinator, African Development Bank, cc. Ms. Aimée Bella, Systems and Industrial Engineer, Environmental Specialist Water and Sanitation Department, African Development Bank
7. Mr. David McCauley, ADB GEF Facilitator, Asian Development Bank, cc. Mr. Nessim Ahmad, Director and ADB GEF Focal Point, Environment and Social Safeguards Division, Asian Development Bank
8. Mr. Mark Hughes, GEF Coordinator, European Bank for Reconstruction and Development
9. Mr. Ricardo Quiroga, GEF Coordinator, Inter-American Development Bank, cc. Mr. Rikke Olivera, Inter-American Development Bank
10. Mr. Kevin Cleaver, Assistant President, International Fund for Agriculture and Development, cc. Ms. Khalida Bouzar, GEF Coordinator, International Fund for Agriculture and Development
11. Ms. Barbara Cooney, FAO GEF Focal Point, Food and Agriculture Organization
12. Mr. Edward Clarence-Smith, GEF Coordinator, United Nations Industrial Organization

1. Mr. Frank Pinto, GEF Coordinator, UNDP-GEF, cc. Mr. Yannick Glemarek, UNDP



ROTTERDAM CONVENTION

SECRETARIAT FOR THE ROTTERDAM CONVENTION
ON THE PRIOR INFORMED CONSENT PROCEDURE
FOR CERTAIN HAZARDOUS CHEMICALS AND PESTICIDES
IN INTERNATIONAL TRADE



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Geneva/Rome, 04 June 2007

Subject: Implementation of COP Decision 3/5 Financial Mechanisms

Dear Mr. Pinto,

The third 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 (COP-3) was held in Geneva from 9 to 13 October 2006.

Our purpose in writing is to draw your attention to Decision RC-3/5 *Financial Mechanisms* taken at that meeting. A copy of the decision is enclosed for your ease of reference, together with a copy of our letter to Parties regarding implementational aspects of that decision. While the decision mainly addresses the issue of sustainable financing for Parties' implementing the Rotterdam Convention, it is also of relevance to your role in supporting Parties' implementation of the Stockholm Convention on Persistent Organic Pollutants.

In considering opportunities for sustainable financing, COP-3 recognized that much of the foundational chemicals management required to support implementation of the Rotterdam Convention was also required for implementation of other chemicals and wastes conventions. The difference between this foundational chemicals management and activities required to implement the specific provisions of the Rotterdam Convention are elaborated in Section C of UNEP/FAO/RC/COP.3/13 "*Study of Possible Options for lasting and sustainable financial mechanisms*" (copy enclosed). I am sure that you will recognize this as an issue that Parties to the Stockholm Convention would also encounter in developing their National Implementation Plans (NIPs). In fact, paragraph 2 of decision RC-3/5 focuses on the potential role of the NIPs prepared under the Stockholm Convention in supporting broader chemicals management in countries.

Cooperation and coordination between the Basel, Rotterdam and Stockholm Conventions has been discussed extensively at meetings of the COPs of all three conventions. Cooperation built around the NIPs is potentially a tangible demonstration of the inter-relationship between them. The Rotterdam and Stockholm Secretariats have raised this previously with the Implementing Agencies (IAs). A copy of their letter of April 2003 is also enclosed.

.../2

Mr. Frank Pinto, GEF Coordinator
United Nations Development Programme
Global Environment Facility Unit (UNDP-GEF)
Energy & Environment Group, BDP
304 East 45th Street, 9th Floor
New York, NY 10017, U.S.A.

The two Secretariats subsequently worked together to develop guidance for developing NIPs for the Stockholm Convention. This guidance, which also includes text relevant to the requirements of the Rotterdam Convention, was adopted in Decision SC.1/12 of the first meeting of the Conference of the Parties to the Stockholm Convention in May 2005.

Over the last two years, the Rotterdam Secretariat has worked with countries in the development of national action plans and/or strategies for the implementation of the Rotterdam Convention. An important element of this work has involved encouraging participation of the focal points established under the Stockholm Convention in order that they might present the NIPs and identify opportunities for coordinated implementation with the Stockholm Convention (in line with the guidance adopted under Decision SC.1/12). However, our experience in these meetings has been that little or no reference has been made to the Rotterdam Convention in the NIPs. Indeed Stockholm Convention focal points indicated that their IAs had not encouraged inclusion of such references. Finally in most countries the designated national authorities (DNAs) identified under the Rotterdam Convention had not been involved in the preparation of the NIPs.

In line with Decision RC.2/4 on the National and Regional Delivery of Technical Assistance made at COP-2 of the Rotterdam Convention, the Secretariat in cooperation with the Secretariat of the Stockholm Convention initiated a review of completed NIPs to determine the extent to which reference is made to the Rotterdam Convention. As reported at the COP-3 of the Rotterdam Convention, very few if any NIPs have made even a passing reference to the Convention.

In follow-up to Decision SC.2/7 of the second session of the COP to the Stockholm Convention the Secretariat undertook an analysis of NIPs, in particular the extent to which countries take into account the requirements of the Rotterdam Convention as set out in the Guidance. The outcome of this analysis was made available to the third session of the COP to the Stockholm Convention in document UNEP/POPs/COP.3/11. The analysis showed that, although the COP at its first meeting agreed to include specific text in the guidance relevant to the requirements of the Rotterdam Convention, only 12 per cent of the implementation plans reviewed acknowledged the existence of synergies at the national level between the chemicals-related multilateral environmental agreements and only 7 per cent indicated the relevance of the specific requirements of the Rotterdam Convention to their future implementation of the Stockholm Convention.

As an Implementing Agency or Executing Agency with expanded opportunities for the GEF, you have been involved in assisting countries in developing their NIPs for the Stockholm Convention. We would like once again to draw your attention to the guidance adopted in Decision SC.1/12, in particular those elements relevant to the requirements of the Rotterdam Convention.

We continue to be of the view that coordinated implementation of the Stockholm and Rotterdam Conventions at the national level is an important step to finding synergies in their implementation. We would like once again to encourage you, when supporting countries in developing and reviewing their NIPs, to consider ways in which the effective implementation of the Rotterdam Convention can offer benefits in addressing POPs. We would be pleased to consult with you on ways, in which the Rotterdam Convention Secretariat can assist you in this endeavour.

Yours sincerely,



Maged Younes
Acting Executive Secretary (UNEP)



Peter Kerevica
Executive Secretary (FAO)

cc: Mr. Yannick Glemarek, UNDP

2. **Mr. Shafqat Kakakhel, Acting GEF Coordinator, UNEP Division of GEF Coordination, cc. Ms. Sheila Aggarwal-Khan, Acting Deputy Director, DGEF**



ROTTERDAM CONVENTION

SECRETARIAT FOR THE ROTTERDAM CONVENTION
ON THE PRIOR INFORMED CONSENT PROCEDURE
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Geneva/Rome, 4 June 2007

Subject: Implementation of COP Decision 3/5 Financial Mechanisms

Dear Mr. Kakakhel,

The third 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 (COP-3) was held in Geneva from 9 to 13 October 2006.

Our purpose in writing is to draw your attention to Decision RC-3/5 *Financial Mechanisms* taken at that meeting. A copy of the decision is enclosed for your ease of reference, together with a copy of our letter to Parties regarding implementational aspects of that decision. While the decision mainly addresses the issue of sustainable financing for Parties' implementing the Rotterdam Convention, it is also of relevance to your role in supporting Parties' implementation of the Stockholm Convention on Persistent Organic Pollutants.

In considering opportunities for sustainable financing, COP-3 recognized that much of the foundational chemicals management required to support implementation of the Rotterdam Convention was also required for implementation of other chemicals and wastes conventions. The difference between this foundational chemicals management and activities required to implement the specific provisions of the Rotterdam Convention are elaborated in Section C of UNEP/FAO/RC/COP.3/13 "*Study of Possible Options for lasting and sustainable financial mechanisms*" (copy enclosed) I am sure that you will recognize this as an issue that Parties to the Stockholm Convention would also encounter in developing their National Implementation Plans (NIPs). In fact, paragraph 2 of decision RC-3/5 focuses on the potential role of the NIPs prepared under the Stockholm Convention in supporting broader chemicals management in countries.

Cooperation and coordination between the Basel, Rotterdam and Stockholm Conventions has been discussed extensively at meetings of the COPs of all three conventions. Cooperation built around the NIPs is potentially a tangible demonstration of the inter-relationship between them. The Rotterdam and Stockholm Secretariats have raised this previously with the Implementing Agencies (IAs). A copy of their letter of April 2003 is also enclosed.

... / 2

Mr. Shafqat Kakakhel
Acting GEF Coordinator
UNEP/Division of GEF Coordination
P.O. Box 30552
Nairobi 00100, Kenya

The two Secretariats subsequently worked together to develop guidance for developing NIPs for the Stockholm Convention. This guidance, which also includes text relevant to the requirements of the Rotterdam Convention, was adopted in Decision SC.1/12 of the first meeting of the Conference of the Parties to the Stockholm Convention in May 2005.

Over the last two years, the Rotterdam Secretariat has worked with countries in the development of national action plans and/or strategies for the implementation of the Rotterdam Convention. An important element of this work has involved encouraging participation of the focal points established under the Stockholm Convention in order that they might present the NIPs and identify opportunities for coordinated implementation with the Stockholm Convention (in line with the guidance adopted under Decision SC.1/12). However, our experience in these meetings has been that little or no reference has been made to the Rotterdam Convention in the NIPs. Indeed Stockholm Convention focal points indicated that their IAs had not encouraged inclusion of such references. Finally in most countries the designated national authorities (DNAs) identified under the Rotterdam Convention had not been involved in the preparation of the NIPs.

In line with Decision RC.2/4 on the National and Regional Delivery of Technical Assistance made at COP-2 of the Rotterdam Convention, the Secretariat in cooperation with the Secretariat of the Stockholm Convention initiated a review of completed NIPs to determine the extent to which reference is made to the Rotterdam Convention. As reported at the COP-3 of the Rotterdam Convention, very few if any NIPs have made even a passing reference to the Convention.

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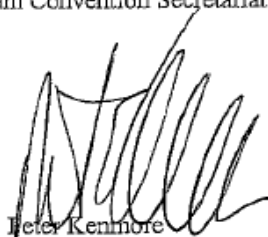
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Yours sincerely,



Maged Younes
Acting Executive Secretary (UNEP)



Peter Kenmore
Executive Secretary (FAO)

cc: Ms. Sheila Aggarwal-Khan, Acting Deputy Director, DGEF
Ms. Kristin McLaughlin, UNEP RONA

3. Mr. Steve Gorman, GEF Executive Coordinator, POPs/MP operations Environment Department, World Bank, cc. Mr. Rohit Khanna, World Bank



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Geneva/Rome, 4 June 2007

Subject: Implementation of COP Decision 3/5 Financial Mechanisms

Dear Mr. Gorman,

The third 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 (COP-3) was held in Geneva from 9 to 13 October 2006.

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Mr. Steve Gorman
GEF Executive Coordinator
POPs/MP operations Environment Department
World Bank
1818H Street NW
Washington, DC 250433, U.S.A.

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Yours sincerely,



Maged Younes
Acting Executive Secretary (UNEP)



Peter Kennerly
Executive Secretary (FAO)

cc: Mr. Rohit Khanna, World Bank

4. **Mr. Dimitri Piskounov, Managing Director, Program Development and Technical Cooperation Division, UNIDO Permanent Missions in Geneva, cc. Mr. Edward Clarence-Smith, GEF Coordinator, UNIDO**



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Geneva/Rome, 4 June 2007

Subject: Implementation of COP Decision 3/5 Financial Mechanisms

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Mr. Dmitri Piskounov
Managing Director, Program Development and Technical Cooperation Division
United Nations Industrial Development Organization (UNIDO)
Vienna International Centre
Wagramerstr. 5, P.O. Box 300
A-1400 Vienna, Austria

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Maged Younes
Acting Executive Secretary (UNEP)



Peter Klemm
Executive Secretary (FAO)

cc: Mr. Edward Clarence-Smith, GEF Coordinator, UNIDO

5. Ms. Monique Barbut, Chief Executive Officer and Chairman, Global Environment Facility, cc. Parties to the Convention



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Geneva/Rome, 7 June 2007

Subject: Implementation of COP Decision 3/5 Financial Mechanisms

Dear Ms. Barbut,

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Chief Executive Officer and Chairman
Global Environment Facility
GEF Secretariat
1818 H Street, NW
Washington, DC 20433
USA

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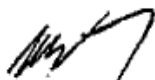
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We continue to be of the view that coordinated implementation of the Stockholm and Rotterdam Conventions at the national level is an important step to finding synergies in their implementation. We would encourage you, in supporting countries in developing and reviewing their NIPs, as well as in their subsequent implementation, to consider ways in which the effective implementation of the Rotterdam Convention can offer benefits in addressing POPs. We would be pleased to consult with you on ways in which the Rotterdam Convention secretariat can assist you in this endeavour.

Yours sincerely,



Maged Younes
Acting Executive Secretary (UNEP)



Peter Kenmore
Executive Secretary (FAO)

6. Mr. Daniel Ponzi, GEF Coordinator, African Development Bank, cc. Ms. Aimée Bella, Systems and Industrial Engineer, Environmental Specialist Water and Sanitation Department, African Development Bank



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Geneva/Rome, 9 May 2008

Subject: Implementation of COP Decision 3/5 Financial Mechanisms

Dear Mr. Ponzi,

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African Development Bank
BP 323 1002
Tunis Belvédère
Tunis

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Donald Cooper
Co-Executive Secretary

Yours sincerely,



Peter Kenmore
Co-Executive Secretary

cc: Ms. Aimée Bella, Systems & Industrial Engineer, Environmental Specialist
Water & Sanitation Department, African Development Bank

7. **Mr. David McCauley, ADB GEF Facilitator, Asian Development Bank, cc. Mr. Nessim Ahmad, Director and ADB GEF Focal Point, Environment and Social Safeguards Division, Asian Development Bank**



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Geneva/Rome, 9 May 2008

Subject: Implementation of COP Decision 3/5 Financial Mechanisms

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Environment and Social Safeguards Division
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Donald Cooper
Co-Executive Secretary

Yours sincerely,



Peter Kenmore
Co-Executive Secretary

cc: Mr. Nessim Ahmad, Director and ADB GEF Focal Point, Environment and Social Safeguards Division,
Asian Development Bank

8. Mr. Mark Hughes, GEF Coordinator, European Bank for Reconstruction and Development



ROTTERDAM CONVENTION

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Geneva/Rome, 9 May 2008

Subject: Implementation of COP Decision 3/5 Financial Mechanisms

Dear Mr. Hughes,

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Mr. Mark Hughes
GEF Coordinator
Environment and Sustainability
European Bank for Reconstruction and Development
One Exchange Square
London EC2A 2JN
United Kingdom

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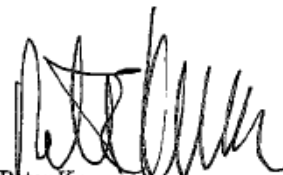
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Donald Cooper
Co-Executive Secretary

Yours sincerely,



Peter Kenmore
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9. Mr. Ricardo Quiroga, GEF Coordinator, Inter-American Development Bank, cc. Mr. Rikke Olivera, Inter-American Development Bank



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Geneva/Rome, 9 May 2008

Subject: Implementation of COP Decision 3/5 Financial Mechanisms

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Mr. Ricardo Quiroga
GEF Coordinator
Inter-American Development Bank
1300 New York Avenue, NW
Washington DC, 20577
United States of America

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Donald Cooper
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Peter Kenmore
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cc: Mr. Rikke Olivera, Inter-American Development Bank

10. Mr. Kevin Cleaver, Assistant President, International Fund for Agriculture and Development, cc. Ms. Khalida Bouzar, GEF Coordinator, International Fund for Agriculture and Development



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Geneva/Rome, 9 May 2008

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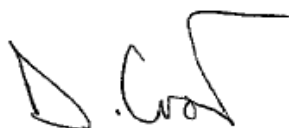
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Co-Executive Secretary

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Peter Kenmore
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cc: Ms. Khalida Bouzar, GEF Coordinator, International Fund for Agriculture and Development

11. Ms. Barbara Cooney, FAO GEF Focal Point, Food and Agriculture Organization



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Subject: Implementation of COP Decision 3/5 Financial Mechanisms

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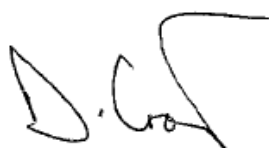
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Donald Cooper
Co-Executive Secretary



Peter Kenmore
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12. Mr. Edward Clarence-Smith, GEF Coordinator, United Nations Industrial Organization



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In follow-up to Decision SC.2/7 of the second session of the COP to the Stockholm Convention the Secretariat undertook an analysis of NIPs, in particular the extent to which countries take into account the requirements of the Rotterdam Convention as set out in the Guidance. The outcome of this analysis was made available to the third session of the COP to the Stockholm Convention in document UNEP/POPs/COP.3/11. The analysis showed that, although the COP at its first meeting agreed to include specific text in the guidance relevant to the requirements of the Rotterdam Convention, only 12 per cent of the implementation plans reviewed acknowledged the existence of synergies at the national level between the chemicals-related multilateral environmental agreements and only 7 per cent indicated the relevance of the specific requirements of the Rotterdam Convention to their future implementation of the Stockholm Convention.

As an Implementing Agency or Executing Agency with expanded opportunities for the GEF, you have been involved in assisting countries in developing their NIPs for the Stockholm Convention. We would like once again to draw your attention to the guidance adopted in Decision SC.1/12, in particular those elements relevant to the requirements of the Rotterdam Convention.

We continue to be of the view that coordinated implementation of the Stockholm and Rotterdam Conventions at the national level is an important step to finding synergies in their implementation. We would like once again to encourage you, when supporting countries in developing and reviewing their NIPs, to consider ways in which the effective implementation of the Rotterdam Convention can offer benefits in addressing POPs. We would be pleased to consult with you on ways in which the Rotterdam Convention Secretariat can assist you in this endeavour.

Yours sincerely,



Donald Cooper
Co-Executive Secretary



Peter Kenmore
Co-Executive Secretary

D. Annexes

1. Decision RC-3/5: Financial mechanism

See p. 7 above

2. Letter to Parties regarding implementation of COP-3 decisions on finances

See p. 4 above

3. Section C of UNEP/FAO/RC/COP.3/13 “Study of possible options for lasting and sustainable financial mechanisms”

See p. 9 above

4. Letter to implementing agencies of April 2003

Annex 4: Letter of April 2003 to implementing agencies



*Interim Secretariat for the Rotterdam Convention on the
Prior Informed Consent Procedure for Certain Hazardous
Chemicals and Pesticides in International Trade*



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Geneva/Rome, 29 April, 2003

Dear Colleague,

We are writing to you in our capacities as Executive Secretaries of the Rotterdam Convention.

Your offices serve as implementing agencies, or executing agencies with expanded opportunities, for the GEF. Among your many activities in this area, you will be assisting countries in developing their national implementation plans (NIPs) for the Stockholm Convention. There are a number of elements of the Rotterdam Convention that may be important to countries in meeting their Stockholm Convention obligations. We would like to draw these to your attention, and encourage you to give them due consideration when assisting countries.

Chemical Assessment and Regulation

Article 3 of the Stockholm Convention requires that countries with regulatory or assessment schemes for new or existing pesticides or industrial chemicals do the following:

- "regulate with the aim of preventing the production and use of new pesticides or new industrial chemicals which... exhibit the characteristics of persistent organic pollutants" (paragraph 3) and
- "take into consideration within these [regulatory and assessment] schemes the criteria in paragraph 1 of Annex D when conducting assessments of pesticides or industrial chemicals currently in use"

Mr. Steve Gorman
Chief Montreal Protocol Operation Unit
Environment Department
World Bank
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Washington, DC 20433
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cc: Mr. Laurent Granier
Programme Officer
UNEP GEF Coordination Office

Fax: +254 2 624 041

As a consequence, it is foreseeable that some countries will be putting in place or strengthening their regulatory infrastructure in order that they might then ban or severely restrict pesticides and other chemicals. Any such final regulatory action should then trigger the requirement to submit a notification under Article 5 of the Rotterdam Convention. In assisting countries to develop such administrative or legal systems under the Stockholm Convention, you may wish to consider supporting the development of the corresponding systems to enable follow-up under the Rotterdam Convention. This also provides an early alert of the hazards associated with such chemicals, highlighting the need for consideration of their use by other countries.

POPs Import and Export

The Rotterdam Convention can serve as a first line of defense by keeping POPs problems from spreading or getting worse. In addition, a number of future POPs may be included in the Rotterdam Convention even before they are added to the Stockholm Convention.

At present, 8 POPs are included in both Conventions: Aldrin, Chlordane, DDT, Dieldrin, Heptachlor, Hexachlorobenzene, PCBs, and Toxaphene.

Work underway under the Rotterdam Conventions in the area of import and export notifications can offer some useful extensions to the issues countries may need to address under the Stockholm Convention. For example:

- Trade under Stockholm Convention exemptions would be covered by the Rotterdam Convention;
- Trade with Stockholm Convention non-Parties would be covered under the Rotterdam Convention, for participating countries (165 at present);
- POPs Chemicals are covered by the Rotterdam Convention during the period until the Stockholm Convention enters into force¹;
- In some cases, trade in possible future POPs will be covered under the Rotterdam Convention;
- The Rotterdam Convention can be useful in monitoring trade of those POPs listed in both Conventions.

In any event, it is important that countries be enabled to implement these two Conventions consistently.

Customs Matters

Paragraph I of Article 13 of the Rotterdam Convention mandates that "The Conference of the Parties shall encourage the World Customs Organization to assign specific Harmonized System customs codes to the individual chemicals or groups of chemicals listed in Annex III, as appropriate. Each Party shall require that, whenever a code has been assigned to such a chemical, the shipping document for that chemical bears the code when exported." During the interim period, the secretariat has been working with WCO on the assignment of such codes, and it is clear that appropriate codes will be assigned in the near future.

The assignment of these codes will allow Customs officers to monitor the import and export of POPs listed in both Conventions. To the extent that countries incorporate compliance monitoring and enforcement into their structures for the effective implementation of the Stockholm Convention, they may wish to integrate this with their Customs programmes for the Rotterdam Convention.

Preventing the Accumulation of Stockpiles

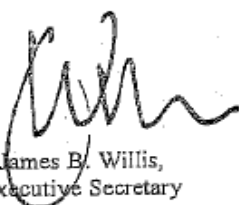
Among the many elements that may be incorporated in NIPs would be support to Article 6 of the Stockholm Convention on stockpiles and wastes. It should be noted that the Rotterdam Convention provides for the prior informed consent of importing countries before exports of certain pesticides and other chemicals can take place. As such, the Rotterdam Convention is an essential tool to prevent the accumulation of such stockpiles. In assisting countries to develop such programmes related to stockpiles, you may wish to consider supporting

¹ This is not meant to imply that there is a hierarchy between Conventions. However, implementation of the provisions of the Rotterdam Convention can provide some additional protections until the Stockholm Convention enters into force for a country.

the development of the corresponding systems to enable countries to prevent their accumulation under the Rotterdam Convention.

We are of the view that countries' implementation of the Stockholm Convention can be strongly supported if they become parties to the Rotterdam Convention and take steps to implement these conventions consistently. We would like to encourage you, in supporting countries in developing their NIPs, to consider ways in which the effective implementation of the Rotterdam Convention can offer co-benefits in addressing POPs. We would be pleased to consult with you on ways in which the Rotterdam Convention secretariat can assist you in this endeavor.

Best regards,



James B. Willis,
Executive Secretary



Nick Van Der Graaff
Executive Secretary

E. Replies to the above correspondence

- 1. Ms. Monique Barbut, Chief Executive Officer and Chairman, Global Environment Facility, of 5 July 2007**
- 2. Ms. Carmen Tavera, Officer in Charge, Deputy Director, Division of GEF Coordination, UNEP, of 14 August 2007**

1. **Reply from Ms. Monique Barbut, Chief Executive Officer and Chairman, Global Environment Facility, of 5 July 2007**



Monique Barbut
Chief Executive Officer
and Chairperson

Global Environment Facility

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Email: mbarbut@TheGEF.org

July 5, 2007

Mr. Maged Younes
Acting Executive Secretary (UNEP)
11-13, Chemin des Anémones
Geneva
Switzerland

Mr. Peter Kenmore
Executive Secretary (FAO)
Viale delle Terme di Caracalla
Rome
Italy

Dear Messrs Kenmore and Younes:

I write in response to your letter received June 25, 2007, in which you inform me about the outcomes of the 3rd meeting of the Conference of the Parties to the Rotterdam Convention, in particular with regards COP Decision RC-3/5 on financial mechanism.

I concur with you that coordinated implementation of the Stockholm and Rotterdam Conventions at the national level is important. I also note that this view has been expressed by the Conference of the Parties to the Stockholm Convention.

As you might be aware, the GEF Council, meeting in June 2007, has considered for the first time a GEF strategy on Sound Chemicals Management, as a cross-cutting issue generating global environmental benefits. I am asking my staff to liaise with your Secretariat in planning for the implementation of this strategy, with a view in particular to consider ways in which support to the implementation of the Stockholm Convention can also benefit the effective implementation of the Rotterdam Convention in GEF eligible countries.

Sincerely,

2. Reply from Ms. Carmen Tavera, Officer in Charge, Deputy Director, Division of GEF Coordination, UNEP, of 14 August 2007



United Nations Environment Programme

برنامج الأمم المتحدة للبيئة • 联合国环境规划署
PROGRAMME DES NATIONS UNIES POUR L'ENVIRONNEMENT • PROGRAMA DE LAS NACIONES UNIDAS PARA EL MEDIO AMBIENTE
ПРОГРАММА ОРГАНИЗАЦИИ ОБЪЕДИНЕННЫХ НАЦИЙ ПО ОКРУЖАЮЩЕЙ СРЕДЕ

Our Reference: GEF/NIP

14 August 2007

Dear Messrs Kenmore and Mr. Younes,

Thank you very much for highlighting again the important issue of coordination among the chemicals related conventions and the need to strengthen cooperation in the implementation of the chemicals conventions as an integrated part for building sound chemicals management schemes in the countries. We strongly support this approach that is fully in line with the recently adopted SAICM.

The NIP development projects have the role to strengthen national coordination and collaboration needed to prepare strong nationally coordinated management plans that cross ministerial or departmental boundaries, mandates and responsibilities.

The Stockholm COP.1 agreed on additional NIP guidance showing how Rotterdam obligations could be considered and incorporated into NIP development. Many NIP development projects were already well advanced by the time when this additional guidance was introduced. This might be the reason why this aspect was not addressed in the NIPs with the required emphasis. Further, several countries indicated that only few POPs chemicals remain in trade so the obligations of the Rotterdam Convention do not, at first sight, appear particularly relevant.

UNEP has tried, wherever possible, to encourage NIP coordinators to strengthen NIPs by integrating actions with Rotterdam and Basel Conventions and consider chemicals management more broadly when making plans for improved regulatory/administrative arrangements.

The projects supported by UNEP include early actions to develop or update National Chemicals Management Profiles so that POPs specific actions can be located correctly in an integrated system. NIP project partners are encouraged to participate in MEA synergies workshops and the usefulness of PIC procedures is identified in the draft decision trees developed by UNEP and UNITAR. In commenting on individual draft NIPs we point out the advantages of using other conventions and of becoming Party to them, if this is not already the case. However, the development of the NIP is a national process and the country teams decide content and priorities of the NIP which gains governmental endorsement including acceptance by all related ministries.

I welcome your suggestion to consult with you on ways, in which the Rotterdam Convention Secretariat can assist in strengthening the coordinated implementation of the Convention at national level. This is relevant to all GEF Implementing and Executing Agencies and we will suggest to the GEF Secretariat to take the issue up again in the GEF POPs Task Force.

Yours sincerely,

Carmen Tavera
Officer in Charge, Deputy Director
Division of GEF Coordination

Peter Kenmore, Executive Secretary (FAO)
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Maged Younes, Acting Executive Secretary (UNEP)
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DIVISION OF GEF COORDINATION
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II. Correspondence based on elements listed in paragraphs 5 and 9 of decision RC-3/5

A. Letters dated 7 June 2007 and 26 November 2007 from the Secretariat based on elements listed in paragraph 5

1. Ms. Monique Barbut, Chief Executive Officer and Chair, Global Environment Facility
2. Ms. Maria Nolan, Chief Officer, Secretariat of the Multilateral Fund for the Implementation of the Montreal Protocol
3. Mr. Marco Gonzalez, Executive Secretary, Ozone Secretariat (Protection of the Ozone Layer)

1. Letter dated 7 June 2007 from the Secretariat to Ms. Monique Barbut, Chief Executive Officer and Chair, Global Environment Facility



ROTTERDAM CONVENTION

SECRETARIAT FOR THE ROTTERDAM CONVENTION
ON THE PRIOR INFORMED CONSENT PROCEDURE
FOR CERTAIN HAZARDOUS CHEMICALS AND PESTICIDES
IN INTERNATIONAL TRADE



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Geneva/Rome, 7 June 2007

Subject: Implementation of COP Decision 3/5 Financial Mechanisms

Dear Ms. Barbut,

The third 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 (COP-3) was held in Geneva from 9 to 13 October 2006.

Our purpose in writing is to draw your attention to Decision RC-3/5 *Financial Mechanisms* taken at that meeting. A copy of the decision is enclosed for your ease of reference, together with a copy of our letter to Parties regarding implementational aspects of that decision. While the decision mainly addresses the issue of sustainable financing for Parties' implementing the Rotterdam Convention, it is also of relevance to your role in supporting Parties' implementation of the Stockholm Convention on Persistent Organic Pollutants.

In considering opportunities for sustainable financing, COP-3 recognized that much of the foundational chemicals management required to support implementation of the Rotterdam Convention was also required for implementation of other chemicals and wastes conventions. The difference between this foundational chemicals management and activities required to implement the specific provisions of the Rotterdam Convention are elaborated in Section C of UNEP/FAO/RC/COP.3/13 "*Study of Possible Options for lasting and sustainable financial mechanisms*" (copy enclosed) I am sure that you will recognize this as an issue that Parties to the Stockholm Convention would also encounter in developing their National Implementation Plans (NIPs). In fact, paragraph 2 of decision RC-3/5 focuses on the potential role of the NIPs prepared under the Stockholm Convention in supporting broader chemicals management in countries.

Cooperation and coordination between the Basel, Rotterdam and Stockholm Conventions has been discussed extensively at meetings of the COPs of all three conventions. Cooperation built around the NIPs is potentially a tangible demonstration of the inter-relationship between them. The Rotterdam and Stockholm Secretariats have raised this previously with the Implementing Agencies (IAs). A copy of their letter of April 2003 is also enclosed.

... / 2

Ms. Monique Barbut
Chief Executive Officer and Chairman
Global Environment Facility
GEF Secretariat
1818 H Street, NW
Washington, DC 20433
USA

The two Secretariats subsequently worked together to develop guidance for developing NIPs for the Stockholm Convention. This guidance, which also includes text relevant to the requirements of the Rotterdam Convention, was adopted in Decision SC.1/12 of the first meeting of the Conference of the Parties to the Stockholm Convention in May 2005.

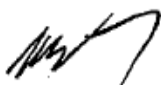
Over the last two years, the Rotterdam Secretariat has worked with countries in the development of national action plans and/or strategies for the implementation of the Rotterdam Convention. An important element of this work has involved encouraging participation of the focal points established under the Stockholm Convention in order that they might present the NIPs and identify opportunities for coordinated implementation with the Stockholm Convention (in line with the guidance adopted under Decision SC.1/12). However, our experience in these meetings has been that little or no reference has been made to the Rotterdam Convention in the NIPs. Indeed Stockholm Convention focal points indicated that their IAs had not encouraged inclusion of such references. Finally in most countries the designated national authorities (DNAs) identified under the Rotterdam Convention had not been involved in the preparation of the NIPs.

In line with Decision RC.2/4 on the *National and Regional Delivery of Technical Assistance* made at COP-2 of the Rotterdam Convention, the Secretariat in cooperation with the Secretariat of the Stockholm Convention initiated a review of completed NIPs to determine the extent to which reference is made to the Rotterdam Convention. As reported at the COP-3 of the Rotterdam Convention, very few if any NIPs have made even a passing reference to the Convention.

In follow-up to Decision SC.2/7 of the second session of the COP to the Stockholm Convention the Secretariat undertook an analysis of NIPs, in particular the extent to which countries take into account the requirements of the Rotterdam Convention as set out in the Guidance. The outcome of this analysis was made available to the third session of the COP to the Stockholm Convention in document UNEP/POPs/COP.3/11. The analysis showed that, although the COP at its first meeting agreed to include specific text in the guidance relevant to the requirements of the Rotterdam Convention, only 12 per cent of the implementation plans reviewed acknowledged the existence of synergies at the national level between the chemicals-related multilateral environmental agreements and only 7 per cent indicated the relevance of the specific requirements of the Rotterdam Convention to their future implementation of the Stockholm Convention.

We continue to be of the view that coordinated implementation of the Stockholm and Rotterdam Conventions at the national level is an important step to finding synergies in their implementation. We would encourage you, in supporting countries in developing and reviewing their NIPs, as well as in their subsequent implementation, to consider ways in which the effective implementation of the Rotterdam Convention can offer benefits in addressing POPs. We would be pleased to consult with you on ways in which the Rotterdam Convention secretariat can assist you in this endeavour.

Yours sincerely,



Maged Younes
Acting Executive Secretary (UNEP)



Peter Kenmore
Executive Secretary (FAO)

2. Letter dated 26 November 2007 from the Secretariat to Ms. Maria Nolan, Chief Officer, Secretariat of the Multilateral Fund for the Implementation of the Montreal Protocol



ROTTERDAM CONVENTION

SECRETARIAT FOR THE ROTTERDAM CONVENTION
ON THE PRIOR INFORMED CONSENT PROCEDURE
FOR CERTAIN HAZARDOUS CHEMICALS AND PESTICIDES
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Geneva, 26 Nov 2007

Subject: Implementation of COP Decision 3/5 Financial Mechanisms

Dear Ms. Nolan,

The third 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 (COP-3) was held in Geneva from 9 to 13 October 2006.

My purpose in writing is to draw your attention to Decision RC-3/5 *Financial Mechanisms* taken at that meeting. A copy of the decision is enclosed for your ease of reference, together with a copy of our letter to Parties regarding implementational aspects of that decision. While the decision mainly addresses the issue of sustainable financing for Parties' implementing the Rotterdam Convention, it is also of relevance to your role in supporting the Parties' implementation of Montreal Protocol.

In considering opportunities for sustainable financing, COP-3 recognized that much of the foundational chemicals management required to support implementation of the Rotterdam Convention was also required for implementation of other chemicals and wastes conventions. The difference between this foundational chemicals management and activities required to implement the specific provisions of the Rotterdam Convention are elaborated in Section C of UNEP/FAO/RC/COP.3/13 "*Study of Possible Options for lasting and sustainable financial mechanisms*" a copy of which is enclosed for ease of reference. I am sure that you will recognize this as an issue that Parties to the Montreal Protocol would also encounter in addressing ozone depleting substances.

Decision RC 3/5 request that the Executive Committee of the Multilateral Fund identify areas within its mandate that can support implementation of appropriate and relevant objective of the Convention such as foundational chemical management. I would be pleased to consult with you on ways in which the Rotterdam Convention secretariat can work with you in this endeavour.

Yours sincerely,

Donald Cooper

Joint Executive Secretary

Ms. Maria Nolan
Chief Officer
The Secretariat of the Multilateral Fund for the
Implementation of the Montreal Protocol
1800 McGill College Avenue, 27th Floor,
Montreal, Quebec, Canada
H3A 3J6

3. Letter dated 26 November 2007 from the Secretariat to Mr. Marco Gonzalez, Executive Secretary, Ozone Secretariat (Protection of the Ozone Layer)



ROTTERDAM CONVENTION

SECRETARIAT FOR THE ROTTERDAM CONVENTION
ON THE PRIOR INFORMED CONSENT PROCEDURE
FOR CERTAIN HAZARDOUS CHEMICALS AND PESTICIDES
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E-mail: pic@pic.int

Geneva, 26 Nov 2007

Subject: Implementation of COP Decision 3/5 Financial Mechanisms

Dear Mr. Gonzalez,

The third 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 (COP-3) was held in Geneva from 9 to 13 October 2006.

My purpose in writing is to draw your attention to Decision RC-3/5 *Financial Mechanisms* taken at that meeting. A copy of the decision is enclosed for your ease of reference, together with a copy of our letter to Parties regarding implementational aspects of that decision. While the decision mainly addresses the issue of sustainable financing for Parties' implementing the Rotterdam Convention, it is also of relevance to your role in supporting your Parties' implementation of the Montreal Protocol.

In considering opportunities for sustainable financing, COP-3 recognized that much of the foundational chemicals management required to support implementation of the Rotterdam Convention was also required for implementation of other chemicals and wastes conventions. The difference between this foundational chemicals management and activities required to implement the specific provisions of the Rotterdam Convention are elaborated in Section C of UNEP/FAO/RC/COP.3/13 "*Study of Possible Options for lasting and sustainable financial mechanisms*" a copy of which is enclosed for ease of reference. I am sure that you will recognize this as an issue that Parties to the Montreal Protocol would also encounter in addressing ozone depleting substances.

Decision RC 3/5 requests that the Parties of the Montreal Protocol identify areas within its mandate that can support implementation of appropriate and relevant objective of the Convention such as foundational chemical management. I would be pleased to consult with you on ways in which the Rotterdam Convention secretariat can work with you in this endeavour.

Yours sincerely,

Donald Cooper

Joint Executive Secretary

Mr. Marco Gonzalez
Executive Secretary
Ozone Secretariat (Protection of the Ozone Layer)
PO Box 30552
Nairobi 00100
Kenya

B. Annexes

1. Decision RC-3/5: Financial mechanism

See p. 7 above

2. Letter dated 4 June 2007 from the Secretariat based on elements listed in paragraphs 1 (a) and (b), 2 (a) and (b), 3 (a) and (b) and 6 of decision RC-3/5)

See p. 4 above

3. Section C of UNEP/FAO/RC/COP.3/13 “Study of possible options for lasting and sustainable financial mechanisms”

See p. 9 above

4. Letter to implementing agencies of April 2003

See p. 89 above

C. Replies to the above correspondence

- 1. Ms. Maria Nolan, Chief Officer, Secretariat of the Multilateral Fund for the Implementation of the Montreal Protocol, of 17 January 2008**
- 2. Ms. Maria Nolan, Chief Officer, Secretariat of the Multilateral Fund for the Implementation of the Montreal Protocol, of 3 June 2008.**

1. **Reply from Ms. Maria Nolan, Chief Officer, Secretariat of the Multilateral Fund for the Implementation of the Montreal Protocol, of 17 January 2008**



**MULTILATERAL FUND
FOR THE IMPLEMENTATION OF THE MONTREAL PROTOCOL**

Secretariat

17 January 2008

Don
Dear Mr. Cooper,

Subject: Implementation of COP Decision 3/5 Financial Mechanism

I am pleased to refer to your letter dated 26 November 2007 and to the acknowledgement of my office dated 10 December 2007 regarding decision RC-3/5 Financial Mechanisms taken at the third 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.

While I express our appreciation for bringing to our attention the above decision, I would like to inform you that I am submitting your letter and its attachment to the Executive Committee for its consideration at its Fifty-fourth Meeting scheduled for 7-11 April 2008, drawing their attention, specifically, to paragraph 9 of decision 3/5 and to the recognition of the Parties to the Rotterdam Convention to the importance of strengthening linkages and coordinating resource mobilization strategies of other multilateral chemicals agreements, approaches and processes, including, among others, the Montreal Protocol.

The decision of the Executive Committee of the Multilateral Fund for the Implementation of the Montreal Protocol on the issue above will be communicated to you after the 54th Meeting of the Committee has taken place.

Sincerely yours,

A handwritten signature in dark ink, appearing to read "Maria A. Nolan", is positioned above the printed name and title.

Maria Nolan
Chief Officer

Mr Donald Cooper
Joint Executive Secretary
Secretariat for the Rotterdam Convention
United Nations Environment Programme (UNEP)
11-13 Chemin des Anémones
CH-1219 Châtelaine
Geneva, Switzerland
Fax : (41 22)917-8082
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2. **Reply from Ms. Maria Nolan, Chief Officer, Secretariat of the Multilateral Fund for the Implementation of the Montreal Protocol, of 3 June 2008.**



**MULTILATERAL FUND
FOR THE IMPLEMENTATION OF THE MONTREAL PROTOCOL**

Secretariat

3 June 2008

Dear Mr. Cooper,

Further to my letter of 17 January 2008 regarding the implementation of Decision RC-3/5 Financial Mechanisms at the 3rd Meeting of the Conference of the Parties to the Rotterdam Convention, I wish to advise you that I submitted your letter of 26 November 2007 and its attachment to the 54th Meeting of the Executive Committee in April 2008 and referred in particular to paragraph 9 of the abovementioned decision. The Executive Committee took note of the request of the Rotterdam Convention Secretariat and requested the Multilateral Fund Secretariat to prepare and circulate via e-mail to Members of the Executive Committee a draft reply on experiences relevant to the Convention. Attached therefore is our response to your letter as agreed by the Executive Committee.

I am ready to answer any queries you may have regarding this reply.

Sincerely yours,

Maria Nolan
Chief Officer

Mr. Donald Cooper
Joint Executive Secretary
Secretariat for the Rotterdam Convention
United Nations Environment Programme (UNEP)
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Enclosure

POSSIBLE AREAS OF COLLABORATION BETWEEN THE MULTILATERAL FUND OF THE MONTREAL PROTOCOL AND THE ROTTERDAM CONVENTION

1. To achieve its overarching objective of regulating the flow across national borders of the chemicals covered by the Convention, the Rotterdam Convention on the Prior Informed Consent Procedure expects each of its signatory countries to establish and in some cases strengthen its national capacity to control the movement of such chemicals to and from its territory. As shown in Section C of UNEP/FAO/RC/COP.3/13 "Study of Possible Options for Lasting and Sustainable Financial Mechanisms", a document issued at COP 3 of the Convention, this national capacity includes, among other things, the following activities:

- Designating national authorities for managing the regulation of the listed chemicals;
- Providing the needed resources to such authorities to collect, register and report data internationally on such chemicals;
- Enacting or amending laws to regulate or ban the import or export of the listed chemicals;
- Harmonizing customs codes and labelling of listed chemicals and their shipment;
- Training of customs officers to enable them to determine whether export notification and information requirements are met; and
- Educating the public on chemicals handling, accident management and safer alternatives.

2. The Multilateral Fund, in implementing its mandate to assist developing countries in complying with the ozone-depleting substances (ODS) control schedules of the Montreal Protocol, has funded since 1991 activities similar to those listed in the preceding paragraph. Such activities have contributed towards phasing out the consumption and production of ODS in well over 140 countries under the Fund's institutional strengthening programme.

3. This programme has resulted in:

- The creation of a national ozone unit (NOU) in each country which owns and oversees the national programme of phasing out ODS consumption and production according to the Montreal Protocol;
- Enacting import and export licensing systems to regulate the movement of ODS across national borders;
- Collecting and reporting ODS consumption and production data to the Ozone and Multilateral Fund Secretariats; and
- Training customs officers and harmonizing customs codes for ODS.

4. The capacities so created and strengthened have been instrumental in achieving the success of the Montreal Protocol to-date in developing countries. It should be noted however that these capacities have been funded in line with Article 10 of the Montreal Protocol and created to achieve the objectives of this Treaty.

5. In view of the similarities between the activities that are implemented to control the chemicals regulated under each of the two conventions, and taking into account the success of the Montreal Protocol in achieving its goals to date, it would seem logical to suggest that the Rotterdam Convention could consider adopting similar implementation mechanisms of the Multilateral Fund. In particular, the concept of setting up national ozone units could be used as a model to deliver the goals of the Rotterdam Convention.

6. If this is considered acceptable, the relevant actions could take place at a national level where the national ozone office could share, with the designated national authorities for the Rotterdam Convention, the experience and lessons learned in data collection and reporting, drafting and enacting import/export licensing systems, activities related to harmonisation of customs, and training of customs officers, among other things.

7. However, it is difficult to consider at the moment any collaboration beyond this proposal between the Multilateral Fund and the Rotterdam Convention because the Multilateral Fund has a well defined mandate from the Meeting of the Parties to the Montreal Protocol, and the Rotterdam Convention is not part of that mandate. Any further collaboration would require careful examination of the legal, administrative and financial implications of so doing at an appropriate level, such as the Conference of the Parties to the Rotterdam Convention and the Meeting of the Parties to the Montreal Protocol.

III. Letter encouraging Parties to contribute to the Voluntary Trust Fund

Letter addressed to official contact points of the Parties to the Convention, cc. Rotterdam Convention Bureau; Harald Brekke, Chief, UNEP Contributions Unit; Theodore Kapiga, Officer-in-charge, UNEP Corporate Services Section



ROTTERDAM CONVENTION

SECRETARIAT FOR THE ROTTERDAM CONVENTION
ON THE PRIOR INFORMED CONSENT PROCEDURE
FOR CERTAIN HAZARDOUS CHEMICALS AND PESTICIDES
IN INTERNATIONAL TRADE



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Geneva/Rome, 28 March 2008

Subject: Rotterdam Convention Voluntary Special Trust Fund contributions

At its third meeting, held in Geneva from 9 to 13 October 2006, the Conference of the Parties to the Rotterdam Convention on the Prior Informed Consent Procedure for Certain Hazardous Chemicals and Pesticides in International Trade adopted decision RC-3/9, (see attached excerpt), on the issue of financing and budget for the biennium 2007–2008.

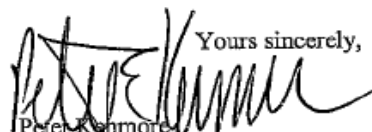
In paragraph 17 of decision RC-3/9 the Conference of the Parties “takes note of the funding estimates for activities under the Voluntary Special Trust Fund of the Convention included in table 4 of the present decision and urges Parties and invites non-Parties and others to contribute to the Voluntary Special Trust Fund.”

Contributions to the Voluntary Special Trust Fund play a key role in the implementation of the Convention’s mandated programme of work, in particular approved technical assistance activities in line with decision RC-3/6. Such contributions also play a vital role in supporting the participation of developing countries, in particular least developed countries, and countries with economies in transition in meetings of the Conference of the Parties. The fourth meeting of the Conference of the Parties is scheduled to take place in Rome from 27 to 31 October 2008.

To date, contributions to the Voluntary Special Trust Fund have totaled \$884,979 for the 2007–2008 biennium in support of a programme of work budgeted at US\$1,224,920 for 2007 and US\$ 1,829,470 for 2008 (totaling US\$3,054,390). If not rectified, this significant shortfall will result in the inability of the Secretariat to carry out the programme of work for 2008 and to facilitate the participation of developing countries and countries with economies in transition in the fourth meeting of the Conference of the Parties.

We accordingly encourage Parties and other stakeholders who are able to do so to contribute to the Special Voluntary Trust Fund in accordance with decision RC-3/9. Should you be interested in making a contribution, please contact the Rotterdam Convention Administrative Officer, Ms. Susanne Bengtsson, at sbengtsson@pic.int.

We thank you in advance for your contributions and continued support.

Yours sincerely,


Peter Kenmore
Co-Executive Secretary



Donald Cooper
Co-Executive Secretary

To: Official contact points of Parties to the Convention
Cc: Rotterdam Convention Bureau; Harald Brekke, Chief, UNEP Contributions Unit;
Theodore Kapiga, Officer-in-Charge, UNEP Corporate Services Section

EXCERPT OF DECISION

RC-3/9: Financing and budget for the biennium 2007–2008

The Conference of the Parties,

Recalling the financial rules of the Conference of the Parties, its subsidiary bodies and the Convention secretariat adopted in its decision RC-1/4;

Recalling decisions RC-1/17 on financing and budget for the biennium 2005–2006, in particular its paragraph 20, and decision RC-2/7,

1. *Approves* the operational budgets for the biennium 2007–2008 of 3,521,430 United States dollars for 2007 and 3,547,928 United States dollars for 2008 for the purposes set out in table 1 of the present decision;
2. *Invites* the governing bodies of the United Nations Environment Programme and the Food and Agriculture Organization of the United Nations to continue their financial support for the operation of the Convention and its secretariat in 2007–2008;
3. *Welcomes* the annual contribution of 1.2 million euros pledged for 2007 and 2008 by the host Governments of the Convention secretariat to offset planned expenditures;
4. *Adopts* the indicative scale of contributions for the apportionment of expenses for 2007–2008 as contained in table 2 of the present decision and authorizes the head(s) of the Convention secretariat, in keeping with the financial rules, to adjust the scale to include all Parties for which the Convention enters into force before 1 January 2007 for 2007 and before 1 January 2008 for 2008;
5. *Decides* to set the level of the working capital reserve at 15 per cent of the average biennial operational budgets for 2007–2008;
6. *Approves* the staffing table of the Convention secretariat for the operational budgets for 2007–2008 as contained in table 3 of the present decision, which includes provision for co-financing with the Stockholm Convention on Persistent Organic Pollutants the position of the United Nations Environment Programme joint head of the secretariats at the D-1 level;
7. *Approves* on an exceptional basis 37,500 United States dollars in the operational budget for 2007 and 37,500 United States dollars in the operational budget for 2008 to support travel for participants for members from developing countries and countries with economies in transition to attend meetings of the ad hoc joint working group on enhancing cooperation and coordination;
8. *Notes* with concern that a number of Parties have not paid their contributions to the operational budgets for 2005 and/or 2006, which were expected on 1 January 2005 and 1 January 2006, respectively, in accordance with paragraph 14 of the financial rules;
9. *Welcomes* the statement by the Government of Italy outlining a schedule for bringing up to date its host Government contributions as stated in the report of the third meeting of the Conference of the Parties;
10. *Invites* the President of the Conference of the Parties and the head(s) of the Convention secretariat to write to the relevant Parties impressing upon them the importance of paying their respective arrears for 2005 and of timely payment for 2006;
11. *Requests* the head(s) of the Convention secretariat to report on the results of these efforts to consult with Parties on timely payments and to provide information on the experience of other environmental conventions;
12. *Invites* Parties to note that contributions to the operational budgets for a calendar year are expected on 1 January of that year, and urges Parties in a position to do so to pay their contributions promptly and in full and, in this regard, requests that Parties be notified of the amount of their contributions for a given year by 15 October of the previous year;
13. *Welcomes* the work done by the Convention secretariat in keeping up-to-date on the Convention website the list of assessed contributions received;
14. *Agrees* to expand the list of contributions posted on the Convention website to include those Parties that have not paid their assessed contributions to the operational budgets;

15. *Authorizes* the head(s) of the Convention secretariat to make transfers of up to 20 per cent of one main appropriation line of the approved budgets to other main appropriation lines;
16. *Authorizes* the head(s) of the Convention secretariat to make commitments up to the level of the approved operational budgets, drawing on available cash resources;
17. *Takes note* of the funding estimates for activities under the Voluntary Special Trust Fund of the Convention included in table 4 of the present decision and urges Parties and invites non-Parties and others to contribute to the Voluntary Special Trust Fund;
18. *Decides* that the trust funds for the Convention shall be further continued until 31 December 2008 and requests the Executive Director of the United Nations Environment Programme to extend the two trust funds of the Convention for 2007–2008, subject to the approval of the Governing Council of the United Nations Environment Programme;
19. *Requests* the head(s) of the secretariat to prepare the 2009–2010 operational budgets on the basis of a programmatic structure and to reflect the expenditure for the 2007–2008 biennium in the same format, for comparative purposes, in the budget document;
20. *Requests* the head(s) of the secretariat in producing the 2009–2010 budgets to make efforts towards achieving a harmonized budget format with the secretariats of the Stockholm Convention on Persistent Organic Pollutants and the Basel Convention on the Control of Transboundary Movements of Hazardous Wastes and Their Disposal.

Table 4

2007–2008 estimate for activities under the Voluntary Special Trust Fund (RV)
(in United States dollars)

	2007	2008
Participant travel		
Participant travel COP	0	500,000
Subtotal activities	0	500,000
Administrative overhead (13%)	0	65,000
Total	0	565,000
Facilitation of implementation and ratification		
Technical assistance	1,084,000	1,119,000
Printed material	0	0
Website	0	0
Subtotal activities	1,084,000	1,119,000
Administrative overhead (13%)	140,920	145,470
Total	1,224,920	1,264,470
Overall total of activities under Voluntary Special Trust Fund	1,224,920	1,829,470