



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

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Conference of the Parties to the  
Rotterdam Convention on the Prior  
Informed Consent Procedure for Certain  
Hazardous Chemicals and Pesticides in  
International Trade  
Seventh meeting  
Geneva, 4–15 May 2015  
Item 8 of the provisional agenda\*  
Other matters

### Admission of observers

#### Note by the Secretariat

## I. Introduction

1. In its decision RC-6/14, the Conference of the Parties to the Rotterdam Convention on the Prior Informed Consent Procedure for Certain Hazardous Chemicals and Pesticides in International Trade approved the application form for admission as an observer set out in the annex to that decision and, among other things, requested the Secretariat to report to the Conference of the Parties at its seventh meeting on experiences with using the form referred to in paragraph 1 of that decision and the practices followed regarding the admission of observers to meetings of the bodies of the Basel Convention on the Control of Transboundary Movements of Hazardous Wastes and Their Disposal, the Rotterdam Convention and the Stockholm Convention on Persistent Organic Pollutants.

## II. Implementation

2. A report on experiences using the form adopted by the Conference of the Parties to the Rotterdam Convention in its decision RC-6/14 and the practices followed regarding the admission of observers to meetings of the bodies of the Basel, Rotterdam and Stockholm conventions is set out in document UNEP/CHW.12/INF/46-UNEP/FAO/RC/COP.7/INF/32-UNEP/POPS/COP.7/INF/53. The report, summarized below, specifically addresses the admission of observers pursuant to rule 7 of the rules of procedure of the Basel, Rotterdam and Stockholm conventions.

3. In its decision RC-6/14, the Conference of the Parties requested the Secretariat to continue to confirm that the bodies or agencies making requests for admission as observers met the relevant criteria in accordance with the Convention and the rules of procedure. A list of bodies and agencies that have not previously been admitted to meetings of the Conference of the Parties to the Rotterdam Convention and that are requesting admission to participate in such meetings as observers in accordance with rule 7 of the rules of procedure for meetings of the Conference of the Parties to the Rotterdam Convention is set out in document UNEP/FAO/RC/COP.7/INF/23.

4. In addressing requests for admission of observers, the Secretariat used the information required in the form to confirm that the bodies or agencies making requests met the relevant criteria in accordance with the Convention and the rules of procedure. As the form was revised to request

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\* UNEP/FAO/RC/COP.7/1.

“Information describing the body or agency”, to be provided “if available”, the Secretariat has faced difficulty in confirming the existence of a body or agency in accordance with the criteria.

5. In order to confirm that the entities making requests for admission as observers meet the relevant criteria in accordance with the Convention and the rules of procedure, the Secretariat also needs to be able to request and receive documents relating to the existence or establishment of the body or agency. Without this step, the Secretariat would only be able to confirm the name of the body or agency, rather than its existence in accordance with the criteria.

6. The annex to the present note sets out a draft revised application form for admission as an observer at meetings of bodies of the Rotterdam Convention, reflecting the conclusions of the report addressing this point.

7. Furthermore, several practices under the Basel, Rotterdam and Stockholm conventions regarding admission of observers to meetings of the conferences of the parties and, as appropriate, subsidiary bodies have been aligned. However, different practices are still applied by the Basel Convention, on the one hand, and the Rotterdam and Stockholm conventions, on the other hand, with respect to what constitutes a “body” or “agency”. In accordance with the practice followed regarding admission of observers to meetings of the bodies to the Rotterdam and Stockholm conventions, “body” or “agency” is understood to refer only to non-profit or non-governmental organizations and associations. Within the context of the meetings of the bodies to the Basel Convention, a different approach has been followed to allow industry, including individual companies, and academia to be represented as observers at meetings.

8. The report notes that entities meeting the criteria in accordance with the Rotterdam or Stockholm conventions and the respective rules of procedure but not constituted as non-profit or non-governmental organizations and associations have been present at meetings within a category of “Others”. Representatives in this category have badges that differ from those given to observers and they may be present at meetings but may neither participate in them nor be included on the list of participants.

9. Finally, the report also notes that various options are available to the Conference of the Parties with regard to how it may wish to proceed with the practices followed regarding the admission of observers. It highlights that alignment would significantly alter the practices regarding the admission of observers; consequently, the Conference of the Parties may wish to maintain its current practices. The Conference of the Parties nonetheless retains the prerogative to decide whether it wishes to align its practice with that of the Conference of the Parties to the Basel Convention in relation to what constitutes a “body” or “agency”.

### III. Proposed action

10. The Conference of the Parties may wish to adopt a decision along the following lines:

#### *The Conference of the Parties*

1. *Takes note* of the report by the Secretariat on its experiences in using the application form adopted by the Conference of the Parties in its decision RC-6/14 and the practices followed regarding the admission of observers to meetings of the bodies of the Basel, Rotterdam and Stockholm conventions;<sup>1</sup>

2. *Approves* the revised application form for admission as an observer at meetings 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 set out in the annex to the present decision;<sup>2</sup>

3. *Decides* to maintain the current practices followed regarding the admission of observers to meetings of the Conference of the Parties and its subsidiary bodies;

4. *Invites* anybody or agency wishing, pursuant to rule 7 of the rules of procedure, to be represented as an observer at the meetings of the Conference of the Parties to the Rotterdam Convention or, as appropriate, its subsidiary bodies, to submit to the Secretariat the information required in accordance with the revised application form for consideration by the Conference of the Parties at its next ordinary meeting;

<sup>1</sup> UNEP/CHW.12/INF/46-UNEP/FAO/RC/COP.7/INF/32-UNEP/POPS/COP.7/INF/53.

<sup>2</sup> UNEP/FAO/RC/COP.7/18, annex.

5. *Requests* the Secretariat to continue to maintain a list of national and international, governmental and non-governmental bodies and agencies represented as observers at meetings of the Conference of the Parties for the purpose of notifying observers of any meeting of the Conference of the Parties and its subsidiary bodies and for official communications with observers during the periods between such meetings;

6. *Also requests* the Secretariat, within the context of its work to maintain the list referred to in paragraph 5 above, to continue to confirm that the bodies or agencies making requests for admission as observers meet the relevant criteria in accordance with the Convention and the rules of procedure.

## Annex

### Draft revised application for admission as an observer to meetings of the Conference of the Parties to the Rotterdam Convention



Food and Agriculture  
Organization of the  
United Nations



ROTTERDAM CONVENTION

## ROTTERDAM CONVENTION

Secretariat of the Rotterdam Convention  
United Nations Environment Programme  
International Environment House 1  
11-13, Chemin des Anémones  
CH 1219 Châtelaine  
Geneva, Switzerland  
Tel: +41 (0) 22 917 8218  
Fax: +41 (0) 22 917 8098  
E-mail: [brs@brsmeas.org](mailto:brs@brsmeas.org)

Secretariat of the Rotterdam Convention  
Food and Agriculture Organization of the United Nations  
Viale delle Terme di Caracalla  
00153 Rome, Italy  
Tel: +39 06 5705 5586  
Fax: +39 06 5705 3057  
E-mail: [pic@fao.org](mailto:pic@fao.org)

### Application for admission as an observer to meetings of the Conference of the Parties to the Rotterdam Convention<sup>1</sup>

Paragraph 7 of Article 18 of the Rotterdam Convention provides: “The United Nations, its specialized agencies and the International Atomic Energy Agency, as well as any State not Party to the Convention, may be represented at meetings of the Conference of the Parties as observers. Any body or agency, whether national or international, governmental or non-governmental, qualified in matters covered by the Convention, and which has informed the Secretariat of its wish to be represented at a meeting of the Conference of the Parties as an observer may be admitted unless at least one third of the Parties present object. The admission and participation of observers shall be subject to the rules of procedure adopted by the Conference of the Parties.”

Paragraph 1 of rule 7 of the rules of procedure for the Conference of the Parties to the Rotterdam Convention provides: “Any body or agency, whether national or international, governmental or non-governmental, which is qualified in matters covered by the Convention and which has informed the Secretariat of its wish to be represented at a meeting as an observer may be so admitted unless one third of the Parties present at the meeting object.”

To apply for admission as an observer at meetings of the Rotterdam Convention bodies (i.e., the Conference of the Parties and, as appropriate, the Chemical Review Committee), any interested body or agency should complete the present application form and send it, along with supporting documents, to [brs@brsmeas.org](mailto:brs@brsmeas.org) at least **one month** prior to the commencement date or opening of the meeting in question. The Secretariat will screen the applications to check whether they are complete and in conformity with the above-mentioned requirements. Successful applications will be submitted to the Conference of the Parties at its next meeting following receipt of the relevant documents.

In the event that any body or agency wishes to attend a meeting of a subsidiary body established under the Rotterdam Convention prior to their application being reviewed by the Conference of the Parties, such body or agency may be represented as an observer at the meeting of the subsidiary body on a provisional basis and will be considered for admission to meetings of the bodies established under the Rotterdam Convention at the next ordinary meeting of the Conference of the Parties, without prejudice to any decision of the Conference of the Parties or any relevant rules on admission of observers at meetings of that subsidiary body.

<sup>1</sup> This process does not apply to those entities represented by observers in accordance with rule 6 of the rules of procedure for the Conference of the Parties to the Rotterdam Convention, i.e., the United Nations and its specialized agencies, the International Atomic Energy Agency and any State not party to the Convention.

*Please complete those sections in the form below that are relevant to the body or agency making the request for admission:*

|   |  |
|---|--|
| <b>I. Name of body or agency</b>  |  |
| <b>Contact person (if any): (Mr. / Ms.)</b>   |  |
| <b>Address:</b>   |  |
| <b>Tel:</b>   |  |
| <b>Fax:</b>   |  |
| <b>Email:</b>   |  |
| <b>National or international:</b>   |  |
| <b><u>Governmental or non-governmental:</u></b>   |  |
| <b>Qualification in matters covered by the Rotterdam Convention</b>                               |  |
| <b><u>Statutes/by-laws/rules or terms of reference of the body or agency (to be attached)</u></b> |  |

|  |                    |
|--|--------------------|
| <b>II. Affiliation with networks, non-governmental organizations or institutions involved in activities relating to the Food and Agriculture Organization of the United Nations (FAO) or the United Nations Environment Programme (UNEP) and/or the Rotterdam Convention</b> |                    |
| <b>Economic and Social Council consultative status:</b>  | Yes _____ No _____ |
| <b>Other relevant affiliation (e.g., United Nations Permanent Forum on Indigenous Issues):</b>   | Yes _____ No _____ |

*Information to be provided, where relevant:*

|                                    |  |
|------------------------------------|--|
| <b>III. Membership of networks</b> |  |
| <b>Name of network:</b>            |  |
| <b>Type of network:</b>            |  |
| <b>Geographical distribution:</b>  |  |
| <b>Date of membership:</b>         |  |

*Information to be provided, if available:*

1. Information describing the body or agency
2. Information on the affiliation of the body or agency with non-governmental organizations or institutions
3. Information on the programmes and activities undertaken by the body or agency/qualification in matters covered by the Convention
4. Description of any network and/or membership system

**Signature and/or seal**

*(the application must be signed by a duly authorized representative)*

**Date:**

☐ I agree to notify the Secretariat of any updated information and of any change in the information provided that may affect the admission of this body or agency as an observer.