



**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  
Ninth meeting  
Geneva, 29 April–10 May 2019**

**Report 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 on the work of its ninth meeting**

**Introduction**

1. At their 2017 meetings, the conferences of the Parties to the Basel Convention on the Control of Transboundary Movements of Hazardous Wastes and Their Disposal, the Rotterdam Convention on the Prior Informed Consent Procedure for Certain Hazardous Chemicals and Pesticides in International Trade and the Stockholm Convention on Persistent Organic Pollutants, respectively, decided to hold the fourteenth meeting of the Conference of the Parties to the Basel Convention, the ninth meeting of the Conference of the Parties to the Rotterdam Convention and the ninth meeting of the Conference of the Parties to the Stockholm Convention (hereinafter, “the 2019 meetings”) in Geneva from 29 April to 10 May 2019 in a format similar to that of the 2017 meetings, with joint sessions covering matters of relevance to at least two of the three conventions and separate sessions of the meetings of each of the three conferences of the Parties. They also decided that the 2019 meetings would not feature a high-level segment and that such segments would occur only at every second set of meetings of the conferences of the Parties.

**I. Opening of the meeting (agenda item 1)**

2. Ms. Abiola Olanipekun, Chief, Science and Technical Assistance Branch, Secretariat of the Basel, Rotterdam and Stockholm Conventions, acting as master of ceremonies, welcomed participants to the 2019 meetings.
3. The meetings began with a Swiss cultural musical performance.

**A. Opening remarks**

4. Opening remarks were delivered by Mr. Marc Chardonens, State Secretary, Swiss Federal Office for the Environment; Ms. Joyce Msuya, acting Executive Director of the United Nations Environment Programme (UNEP), delivered via video message; Mr. Rolph Payet, Executive Secretary of the Basel, Rotterdam and Stockholm conventions; Mr. Hans Dreyer, Executive Secretary of the Rotterdam Convention; and Mr. Mohammed Oglah Hussein Khashashneh (Jordan), President of the Conference of the Parties to the Stockholm Convention, speaking also on behalf of Mr. Abraham Zivayi Matiza (Zimbabwe), President of the Conference of the Parties to the Basel Convention, and

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\* Reissued for technical reasons on 3 December 2019.

Mr. Osvaldo Patricio Álvarez-Pérez (Chile), President of the Conference of the Parties to the Rotterdam Convention.

5. In his remarks, Mr. Chardonens noted that, according to the second edition of the Global Chemicals Outlook report, a projected doubling of the global chemicals market between 2017 and 2030 would increase global chemical releases, exposures, concentrations and adverse health and environmental impacts unless prevailing gaps in the management of chemicals and waste were addressed. Furthermore, the sixth edition of the Global Environment Outlook report indicated that significant gaps remained in the evaluation and regulation of hazardous chemicals, in part due to insufficient legislation and inadequate implementation. Together, the two reports delivered a strong message that the status quo was not a viable option; robust action was required, both to ensure that chemicals showed real value added where they were used and to prevent their adverse effects on human health and the environment. An international regime was needed for the sustainable management of chemicals and waste, for which environmental agreements were a key tool, and the work of the three conferences of the Parties was therefore of great importance for the future of societies the world over. During the following two weeks, the Parties would have the opportunity to strengthen the international regime by listing new chemicals under the Stockholm and Rotterdam conventions and setting up a compliance mechanism for the obligations under the Rotterdam Convention. The 2019 meetings also provided an opportunity to address the challenge of plastics; as the only global convention specifically on waste, the Basel Convention needed an approach to plastics that was as comprehensive as possible, based on a new regulatory framework and stronger cooperation, particularly with the private sector, to implement broader, more appropriate solutions. Importantly, the Amendment to the Basel Convention (Ban Amendment) required only two additional ratifications to enter into force, and once in force would significantly improve the situation for many developing countries.

6. Ms. Msuya, in her video message, said that while chemicals had improved daily lives, health, food security and much more besides, the mismanagement of hazardous chemicals and waste critically threatened health and the environment, running counter to the aim of ensuring healthy people and a healthy planet. With the Basel, Rotterdam and Stockholm conventions playing a vital role in meeting the challenge of sound chemicals and waste management, at their 2019 meetings the conferences of the Parties to the three conventions would be seeking to achieve progress on a range of issues crucial to the success of the 2030 Agenda for Sustainable Development. Through increased synergy, investment and commitment to that challenge, it would be possible to secure the future of the planet.

7. Mr. Payet, in his statement, said that the three conventions had remained relevant and responsive to emerging global chemicals and waste issues over the decades due to the avant-garde decisions they had adopted; at the current meetings Parties were encouraged to turn their attention to plastic wastes and electronic waste, with particular consideration of upstream issues and preventing pollution and waste at source. The 2019 meetings presented an opportunity to define how the conventions were linked to climate change and biodiversity, which the Secretary-General of the United Nations had designated as a priority. In that regard, the Stockholm Convention targets of eliminating polychlorinated biphenyls (PCBs) in equipment by 2025 and achieving the environmentally sound management of liquids containing PCB and equipment contaminated with PCB no later than 2028 were important, and Mr. Payet called on the international community, in particular donors and the funding institutions, to assist Parties in achieving those targets. He took the opportunity to thank Australia, China, Denmark, the European Union, Finland, France, Germany, Japan, the Netherlands, Norway, Sweden, Switzerland, and the United Kingdom of Great Britain and Northern Ireland as donors to the voluntary trust funds, which funded much of the work under the conventions. Gender also remained an important consideration, and Parties were urged to take gender balance into account when selecting their representatives for the various subsidiary bodies of the conferences of the Parties.

8. Mr. Dreyer, in his remarks, said that the use of pesticides and at times quite hazardous ones was often the first reaction to pest outbreaks, which were responsible for major crop losses and predicted only to rise as climate change effects intensified. In those circumstances, sustainable agriculture was key to achieving food security as well as to preventing the indiscriminate use of hazardous pesticides responsible for continuing biodiversity loss and human health problems. Less hazardous, nature-based, replicable and scalable solutions were needed, which in turn demanded strong cooperative efforts and functioning legal frameworks of relevance. In support of those needs, the technical assistance programme of the Rotterdam Convention had been successfully designed to promote sound pesticides management and the use of safer alternatives. Furthermore, the Secretariat of the Convention worked with the Food and Agriculture Organization of the United Nations (FAO) to address cross-cutting areas relating to the Sustainable Development Goals, among them the prevention

of child labour in agriculture and the identification of high-risk scenarios, with a view to helping Parties to implement the 2030 Agenda.

9. Mr. Khashashneh, in his remarks, said that urgent measures were needed to end deaths from chemicals and hazardous wastes by creating clean alternatives. Any adverse socioeconomic consequences that might ensue were incomparable to the priceless value of health and a clean environment conducive to sustainable development. Concerning the proposal to list two new chemicals under the Stockholm Convention, it must be considered in the light of the successes achieved in eliminating chemicals already listed, albeit that further efforts towards elimination were still necessary. As to the Basel Convention, its developing partnerships promised further success towards the attainment of its objectives, while its establishment of a new partnership on plastic waste would be a key step towards the sound environmental management of all wastes. With regard to the Rotterdam Convention, the approval of the compliance mechanism would enable it to emulate the accomplishments of the Basel Convention in providing technical assistance within the framework of its compliance mechanism and would also promote synergy among the three conventions. Through the environmentally sound management of chemicals and waste, the Parties to each Convention must also take concrete action to reduce the growing effects of climate change. Finally, technical support, financial resources, and appropriate decision-making in connection with the Special Programme to support institutional strengthening at the national level for implementation of the Basel, Rotterdam and Stockholm Conventions, the Minamata Convention and the Strategic Approach to International Chemicals Management were all vital to the implementation of the three conventions.

## **B. Formal opening**

10. The fourteenth ordinary meeting of the Conference of the Parties to the Basel Convention, the ninth ordinary meeting of the Conference of the Parties to the Rotterdam Convention and the ninth ordinary meeting of the Conference of the Parties to the Stockholm Convention were formally opened at 11.40 a.m. on 29 April 2019 by Mr. Matiza (Zimbabwe), President of the Conference of the Parties to the Basel Convention, Mr. Álvarez-Pérez (Chile), President of the Conference of the Parties to the Rotterdam Convention, and Mr. Khashashneh (Jordan), President of the Conference of the Parties to the Stockholm Convention, respectively.

## **C. Regional statements**

11. Representatives speaking on behalf of groups of countries made general statements on the issues to be discussed during the meetings.

## **II. Adoption of the agenda (agenda item 2)**

12. The Conference of the Parties to the Rotterdam Convention adopted the following agenda for its ninth meeting on the basis of the provisional agenda set out in document UNEP/FAO/RC/COP.9/1:

1. Opening of the meeting.
2. Adoption of the agenda.
3. Organizational matters:
  - (a) Election of officers;
  - (b) Organization of work;
  - (c) Report on the credentials of representatives to the ninth meeting of the Conference of the Parties.
4. Rules of procedure for the Conference of the Parties.
5. Matters related to the implementation of the Convention:
  - (a) Status of implementation;
  - (b) Listing of chemicals in Annex III to the Convention;
  - (c) Enhancing the effectiveness of the Convention;
  - (d) Compliance;
  - (e) Technical assistance;
  - (f) Financial resources.

6. Enhancing cooperation and coordination among the Basel, Rotterdam and Stockholm conventions:
  - (a) International cooperation and coordination;
  - (b) Clearing house mechanism for information exchange;
  - (c) Mainstreaming gender;
  - (d) Synergies in preventing and combating illegal traffic and trade in hazardous chemicals and wastes;
  - (e) From science to action.
7. Programme of work and budget.
8. Memorandum of understanding between the Food and Agriculture Organization of the United Nations, the United Nations Environment Programme and the Conference of the Parties to the Rotterdam Convention.
9. Venue and date of the tenth meeting of the Conference of the Parties.
10. Other matters.
11. Adoption of the report.
12. Closure of the meeting.
13. In adopting its agenda, the Conference of the Parties agreed to discuss under item 10, other matters, the admission of observers, guidelines on preventing and addressing harassment at meetings of the Basel, Rotterdam and Stockholm conventions, and further developing partnerships.

### **III. Organizational matters (agenda item 3)**

#### **A. Attendance**

14. The meeting was attended by representatives of the following 149 Parties: Afghanistan, Antigua and Barbuda, Argentina, Armenia, Australia, Austria, Bahrain, Belgium, Belize, Benin, Bolivia (Plurinational State of), Bosnia and Herzegovina, Botswana, Brazil, Bulgaria, Burkina Faso, Burundi, Cambodia, Cameroon, Canada, Chad, Chile, China, Colombia, Cook Islands, Costa Rica, Côte d'Ivoire, Croatia, Cuba, Czechia, Democratic People's Republic of Korea, Democratic Republic of the Congo, Denmark, Dominican Republic, Ecuador, El Salvador, Eritrea, Estonia, Eswatini, Ethiopia, European Union, Finland, France, Gabon, Gambia, Georgia, Germany, Ghana, Greece, Guatemala, Guinea, Guinea-Bissau, Guyana, Honduras, Hungary, India, Indonesia, Iran (Islamic Republic of), Iraq, Ireland, Israel, Italy, Jamaica, Japan, Jordan, Kazakhstan, Kenya, Kuwait, Kyrgyzstan, Lao People's Democratic Republic, Latvia, Lebanon, Lesotho, Liberia, Libya, Liechtenstein, Lithuania, Luxembourg, Madagascar, Malawi, Malaysia, Maldives, Mali, Malta, Marshall Islands, Mauritania, Mauritius, Mexico, Mongolia, Montenegro, Morocco, Mozambique, Namibia, Nepal, Netherlands, New Zealand, Nicaragua, Niger, Nigeria, North Macedonia, Norway, Oman, Pakistan, Panama, Paraguay, Peru, Philippines, Poland, Portugal, Republic of Korea, Republic of Moldova, Romania, Russian Federation, Saint Kitts and Nevis, Samoa, Sao Tome and Principe, Saudi Arabia, Senegal, Serbia, Sierra Leone, Singapore, Slovakia, Slovenia, South-Africa, Spain, Sri Lanka, State of Palestine, Sudan, Suriname, Sweden, Switzerland, Syrian Arab Republic, Thailand, Togo, Tonga, Trinidad and Tobago, Tunisia, Turkey, Uganda, Ukraine, United Kingdom of Great Britain and Northern Ireland, United Republic of Tanzania, Uruguay, Vanuatu, Venezuela (Bolivarian Republic of), Viet Nam, Yemen, Zambia, Zimbabwe.
15. In addition, the meeting was attended by representatives of 6 Parties that did not submit valid credentials: Cabo Verde, Congo, Djibouti, Equatorial Guinea, Qatar and Rwanda.
16. The meeting was attended by representatives of the following non-Party State: United States of America.
17. The following United Nations bodies and specialized agencies were represented as observers: Food and Agriculture Organization of the United Nations, International Labour Organization, International Telecommunication Union, Office of the United Nations High Commissioner for Human Rights, secretariat of the Minamata Convention on Mercury, United Nations Development Programme, United Nations Environment Programme, United Nations Industrial Development Organization, United Nations Institute for Training and Research, United Nations Office at Geneva, World Health Organization.

18. The following intergovernmental organizations were represented as observers: Baltic Marine Environment Protection Commission, Comité inter-états des pesticides d'Afrique centrale.

19. Non-governmental organizations were represented as observers. The names of those organizations are included in the list of participants (UNEP/CHW.14/INF/60–UNEP/FAO/RC/COP.9/INF/51–UNEP/POPS/COP.9/INF/62).

## B. Election of officers

20. Introducing the sub-item, the President noted that the Parties would need to elect the officers of the three conferences of the Parties whose terms of office would start at the closure of the 2019 meetings, as well as officers and members of subsidiary bodies and expert groups. Continuing the introduction, the representative of the Secretariat outlined the information in documents UNEP/CHW.14/2, UNEP/FAO/RC/COP.9/2 and UNEP/POPS/COP.9/2, and drew attention to document UNEP/CHW.14/INF/3–UNEP/FAO/RC/COP.9/INF/3–UNEP/POPS/COP.9/INF/3, containing the overview table of elections, as well as documents UNEP/FAO/RC/COP.9/INF/4 and UNEP/POPS/COP.9/INF/4/Rev.1, containing the curricula vitae received in advance of the meetings of candidates nominated for appointment during the 2019 meetings of the Conference of the Parties as, respectively, members of the Chemical Review Committee and of the Persistent Organic Pollutants Review Committee.

21. In accordance with rule 22 of the rules of procedure, the following members of the Bureau elected at the eighth meeting of the Conference of the Parties to the Rotterdam Convention served during the ninth meeting of the Conference of the Parties:

President:	Mr. Osvaldo Patricio Álvarez-Pérez (Chile)
Vice-Presidents:	Mr. Nicolas Encausse (France)
	Mr. Heidar Ali Balouji (Islamic Republic of Iran)
	Ms. Suzana Andrejević Stefanović (Serbia)
	Mr. Abderrazak Marzouki (Tunisia)

Ms. Stefanović served as Rapporteur.

22. Also in accordance with rule 22, the Conference of the Parties elected the following members of the new Bureau, whose terms would commence upon the closure of the current meeting and terminate upon the closure of the next ordinary meeting of the Conference of the Parties:

President:	Mr. Serge Molly Allo'o Allo'o (Gabon)
Vice-Presidents:	Ms. Alison Kennedy (Canada)
	Mr. Mohammed Oglah Hussein Khashashneh (Jordan)
	Ms. Agnieszka Jankowska (Poland)
	Ms. Jeanelle Kelly (Saint Kitts and Nevis)

Ms. Kelly was elected to serve as Rapporteur.

23. The Conference of the Parties agreed to entrust the Bureau, with the support of the Secretariat, with facilitating during the intersessional period preceding the tenth meeting of the Conference of the Parties the process for nominating candidates for election. The conferences of the Parties to the Basel and Stockholm conventions also agreed to the same arrangement with a view to ensuring consistency in approaches and, ultimately, to facilitating decision-making on elections during the meetings of the conferences of the Parties in 2021.

## C. Organization of work

24. The discussion summarized in the present section took place during joint sessions of the fourteenth meeting of the Conference of the Parties to the Basel Convention, the ninth meeting of the Conference of the Parties to the Rotterdam Convention and the ninth meeting of the Conference of the Parties to the Stockholm Convention. Paragraphs 25 to 27 below are replicated in section III C of the report of the Conference of the Parties to the Basel Convention on the work of its fourteenth meeting (UNEP/CHW.14/28) and section III C of the report of the Conference of the Parties to the Stockholm Convention on the work of its ninth meeting (UNEP/POPS/COP.9/30).

25. The three conferences of the Parties agreed to conduct their meetings in accordance with the scenario note set out in document UNEP/CHW.14/INF/1–UNEP/FAO/RC/COP.9/INF/1–UNEP/POPS/COP.9/INF/1 and the schedule set out in document UNEP/CHW.14/INF/2–UNEP/FAO/RC/COP.9/INF/2–UNEP/POPS/COP.9/INF/2, which prior to the meetings had been agreed upon by the bureaux of the three conferences. The schedule and conduct of the meetings would be adjusted by the bureaux each day, as necessary, in the light of the progress of the meetings.

26. In accordance with the agreed arrangements, and as described in the scenario note, the conferences of the Parties to the three conventions would hold both joint and separate sessions during their meetings. During the joint sessions, the conferences of the Parties would discuss cross-cutting issues affecting at least two of the three conventions. In addition, the conferences of the Parties would establish such contact and other groups as they deemed necessary for the various meetings. All decisions would be adopted pending confirmation from the contact group on budget matters that any activities contemplated by the decisions had been taken into account in the proposed programmes of work and budgets for the biennium 2020–2021 or that they would have no budgetary implications. The total number of contact groups meeting at any one time would be limited to facilitate participation by all delegations. The conferences of the Parties also agreed that the presidents of the three conferences would take it in turn to preside over joint sessions and that each, when so presiding, would act on behalf of all three.

27. In carrying out their work at the current meetings, the conferences of the Parties had before them working and information documents pertaining to the various items on the agenda for the meetings. A list of those documents for each meeting, arranged according to the agenda items to which the documents pertain, is set out in documents UNEP/CHW.14/INF/59, UNEP/FAO/RC/COP.9/INF/49 and UNEP/POPS/COP.9/INF/61.

#### **D. Report on the credentials of representatives to the ninth meeting of the Conference of the Parties**

28. The discussion summarized in the present section took place during joint sessions of the fourteenth meeting of the Conference of the Parties to the Basel Convention, the ninth meeting of the Conference of the Parties to the Rotterdam Convention and the ninth meeting of the Conference of the Parties to the Stockholm Convention. Paragraphs 29 to 32 below are replicated in section III D of the report of the Conference of the Parties to the Basel Convention on the work of its fourteenth meeting (UNEP/CHW.14/28) and section III D of the report of the Conference of the Parties to the Stockholm Convention on the work of its ninth meeting (UNEP/POPS/COP.9/30).

29. Introducing the sub-item, the President said that during the period leading up to the 2019 meetings the bureaux of the respective meetings of the conferences of the Parties to the Basel, Rotterdam and Stockholm conventions had agreed to take the same common approach to their consideration of credentials for the current meetings as had been taken during the 2015 and 2017 meetings of the conferences of the Parties to the three conventions. Pursuant to that approach each bureau would accept original credentials in good order as well as copies thereof, on the understanding that, in the case of the latter, originals would be submitted as soon as possible.

30. Continuing the introduction, the representative of the Secretariat outlined the requirements in respect of credentials set out in rule 18 of the rules of procedure of the Conference of the Parties to the Basel Convention, rule 19 of the rules of procedure of the Conference of the Parties to the Rotterdam Convention and rule 19 of the rules of procedure of the Conference of the Parties to the Stockholm Convention, saying that in accordance with those rules the bureaux would examine the credentials of the representatives of the Parties present at the fourteenth meeting of the Conference of the Parties to the Basel Convention, the ninth meeting of the Conference of the Parties to the Rotterdam Convention and the ninth meeting of the Conference of the Parties to the Stockholm Convention, respectively, and that each Bureau would report on the results of its examination to its Conference of the Parties on the afternoon of Thursday, 9 May 2019.

31. The President added that the Parties were to submit the credentials of their representatives to the Secretariat by 1 p.m. on Wednesday, 8 May 2019.

32. Also under the item it was announced that, as at the start of the 2019 meetings, there were 187 Parties to the Basel Convention, 161 Parties to the Rotterdam Convention and 182 Parties to the Stockholm Convention.

33. On the morning of 9 May 2019, the representative of the Secretariat presented the report of the Bureau on the credentials of representatives as at 9 a.m. that day, indicating that the Bureau had further examined the credentials of the representatives of the 155 Parties to the Rotterdam Convention

that had registered to participate in and were present at the meeting. In total, 147 Parties had submitted credentials of their respective representatives issued by a Head of State or Government or a minister for foreign affairs and were therefore in order. Of those credentials, 132 were originals, while 15 were copies that were accepted on the understanding that originals were to be submitted as soon as possible.

34. It was also reported that the following eight Parties had not submitted credentials for their representatives: Cabo Verde, Congo (Republic of), Djibouti, Equatorial Guinea, Malawi, Qatar, Rwanda and Samoa. Those eight Parties were therefore participating as observers in the ninth meeting of the Conference of the Parties.

35. The Conference of the Parties adopted the report of the Bureau on credentials.

36. On 10 May 2019, the report on credentials was updated by the Conference of the Parties to reflect that one Party having previously submitted a copy of the credentials for its representatives had submitted original credentials and that two Parties had submitted copies of credentials, all in good order. Accordingly, of the 155 Parties to the Rotterdam Convention that had registered for the meeting, the credentials of 149 Parties had been issued by a Head of State or Government or a minister for foreign affairs and were therefore in good order. The credentials of 133 of those 149 representatives were originals, while 16 were copies that were accepted on the understanding that originals would be submitted as soon as possible. Also, the following 6 Parties had not submitted credentials for their representatives: Cabo Verde, Congo, Djibouti, Equatorial Guinea, Qatar and Rwanda. Those 6 Parties were therefore participating as observers in the ninth meeting of the Conference of the Parties.

#### **IV. Rules of procedure for the Conference of the Parties (agenda item 4)**

37. Introducing the item, the representative of the Secretariat outlined the information in document UNEP/FAO/RC/COP.9/3. She recalled that, at its first meeting, by decision RC-1/1, the Conference of the Parties had adopted its rules of procedure, as contained in the annex to that decision, in their entirety with the exception of the second sentence of paragraph 1 of rule 45. That sentence had been enclosed in square brackets to indicate that it had not been agreed on and was of no effect. The Conference of the Parties had continued its consideration of the matter at all of its subsequent meetings and had agreed to defer adopting a formal decision on the matter.

38. As at previous meetings, the Conference of the Parties agreed that it would not adopt a formal decision on the matter at the current meeting, that the square brackets around the second sentence of paragraph 1 of rule 45 would remain in place and that, until it decided otherwise, it would continue to decide on substantive matters by consensus.

#### **V. Matters related to the implementation of the Convention (agenda item 5)**

##### **A. Status of implementation**

39. Introducing the sub-item, the representative of the Secretariat outlined the information in document UNEP/FAO/RC/COP.9/4, which described the status of implementation of the Convention and also set out a draft decision on the matter. Further information on various aspects of implementation was contained in document UNEP/FAO/RC/COP.9/INF/6. In addition, document UNEP/FAO/RC/COP.9/INF/7 contained an analysis of definitions of the term “pesticides” used by Parties to the Rotterdam Convention, while document UNEP/FAO/RC/COP.9/INF/8 outlined responses received from Parties to the questionnaire for the calendar year 2016 on the implementation of paragraph 2 of Article 11 and Articles 12 and 14 of the Rotterdam Convention.

40. The representative of the European Union introduced a conference room paper containing comments on, and suggested amendments to, the draft decision set out in document UNEP/FAO/RC/COP.9/4.

41. One representative, speaking on behalf of a group of countries, suggested that regional training and capacity-building workshops be held to help increase the number of notifications of final regulatory action and assist countries in fulfilling their obligations under the Convention.

42. One representative said that the majority of the notifications of final regulatory action received by the Chemical Review Committee did not meet the required listing criteria, mainly because the final regulatory action was not based on a risk evaluation taking into account the prevailing conditions.

Parties were encouraged to use readily available models to generate exposure data when reviewing the authorization of pesticides and to include those data in their notifications. She also encouraged the Secretariat to continue its engagement in capacity-building workshops, including for training pesticide regulators on the improvement of national evaluation of pesticide authorization, which could improve collaboration between regulators and designated national authorities and increase the number of notifications that fulfilled the listing criteria.

43. One representative said that the focus on the number of chemicals recommended for listing in Annex III as an indicator of the efficiency of operation of the Convention was inappropriate, given the many other tasks to be undertaken to improve the implementation of the Convention.

44. The Conference of the Parties adopted the draft decision on the status of implementation, as set out in the conference room paper submitted by the European Union and orally amended in plenary.

45. Decision RC-9/1, on the status of implementation of the Convention, as adopted by the Conference of the Parties, is set out in the annex to the present report.

## **B. Listing of chemicals in Annex III to the Convention**

### **1. Chemical Review Committee**

46. Introducing the sub-item, the representative of the Secretariat outlined the information in document UNEP/FAO/RC/COP.9/5/Rev.1, which included a draft decision by which the Conference of the Parties would, among other things, appoint designated experts to serve as members of the Committee from 1 May 2020 to 31 April 2024. At its thirteenth meeting, the Chemical Review Committee had identified an interim Chair for its fourteenth meeting, as requested by the Conference of the Parties in its decision RC-8/1. The Conference of the Parties was thus to consider electing the interim Chair to the post of Chair.

47. With regard to ensuring support for the effective participation of members and Parties in the work of the Committee, the representative of the Secretariat recalled that, with the financial support of the Food and Agriculture Organization of the United Nations (FAO), it had conducted an orientation workshop to familiarize new members with the operations of the Committee.

48. The President invited the interim chair of the Chemical Review Committee, Ms. Noluzuko Gwayi (South Africa) to provide a report on the work by the Committee. She said that, at its thirteenth meeting, the Committee had reviewed notifications of final regulatory action for acetochlor, atrazine, carbon tetrachloride, chlordecone, endosulfan, hexabromocyclododecane, hexazinone, mirex, pentachlorobenzene, perfluorooctane sulfonic acid (PFOS), its salts and perfluorooctane sulfonyl fluoride (PFOSF), phorate, polychlorinated naphthalenes and triazophos. It had also reviewed the proposals to list lambda-cyhalothrin emulsifiable concentrate of 50 g/L and lambda-cyhalothrin capsule suspension of 50 g/L as severely hazardous pesticide formulations in Annex III to the Convention. At its fourteenth meeting, it had reviewed notifications of final regulatory action for hexabromocyclododecane, methyl parathion and perfluorooctanoic acid (PFOA), its salts and PFOA-related compounds.

49. Having completed its reviews and finalized the draft decision guidance documents, the Chemical Review Committee had recommended to the Conference of the Parties that it consider listing three new chemicals in Annex III to the Convention: acetochlor, hexabromocyclododecane and phorate. They were to be considered by the Conference of the Parties at the current meeting in addition to the two chemicals, carbosulfan and chrysotile asbestos, and two severely hazardous pesticide formulations, fenthion (ultra-low-volume (ULV) formulations at or above 640 g active ingredient/L), and liquid formulations (emulsifiable concentrate and soluble concentrate) containing paraquat dichloride at or above 276 g/L, corresponding to paraquat ion at or above 200 g/L, that had already been considered at previous meetings of the Conference of the Parties.

50. In the ensuing discussion, many representatives expressed appreciation for the work of the Chemical Review Committee in reviewing chemicals for potential listing. Many of those who took the floor stated their support for the listing of all the chemicals recommended by the Committee. One representative highlighted with concern that, at the current meeting, the Conference of the Parties would be reviewing fewer new proposals than proposals that it had already considered at previous meetings.

51. Several representatives recalled that listing in Annex III did not impose any ban on the chemicals, although a number said that they sought such listing precisely because any chemical listed in Annex III would automatically be banned from import into their countries according to their national policies.

52. Noting that hexabromocyclododecane was listed under Annex A of the Stockholm Convention, one representative suggested that the Chemical Review Committee and the Persistent Organic Pollutants Review Committee could work more closely together in the future in order to exploit synergies.
53. With regard to the draft decision in document UNEP/FAO/RC/COP.9/5/Rev.1, one representative expressed full support for the entire text of the decision, while others highlighted aspects of particular importance to them. Several representatives underscored the importance of capacity-building and facilitation activities for members of the Committee, in terms of the conduct of further orientation workshops, with some requesting further support from FAO, and access to documentation in the six official languages of the United Nations.
54. In terms of the composition of the Committee, several representatives, including one speaking on behalf of a group of countries, expressed their support for confirming the appointment of Ms. Gwayi. One representative, noting his concern about the frequent change in membership, urged Parties to appoint candidates with the right profile and who could complete the full term of office.
55. Another representative, speaking on behalf of a group of countries, expressed concern over the possibility that future meetings of the Committee could be shortened owing to budgetary constraints. Acknowledging the financial challenges faced by the Convention and expressing thanks to donors, he underscored the importance of ensuring that the Committee had sufficient time to conduct its work and to discuss scientific matters in its own meeting thereby avoiding the need for such discussion at meetings of the Conference of the Parties.
56. Following the discussion, the Conference of the Parties agreed to defer further consideration of the draft decision, pending the outcome of the work of the contact group on enhancing the effectiveness of the Rotterdam Convention, which would develop text, if deemed necessary, that Parties might wish to incorporate into the draft decision.
57. Following its consideration of the conference room paper on the operation of the Chemical Review Committee prepared by the contact group, the Conference of the Parties adopted the draft decision on the matter.
58. Decision RC-9/2, on the operation of the Chemical Review Committee, as adopted by the Conference of the Parties, is set out in the annex to the present report.

## **2. Hexabromocyclododecane**

59. Introducing the sub-item, the representative of the Secretariat outlined the information in document UNEP/FAO/RC/COP.9/7, containing a draft decision, including draft text of an amendment to list hexabromocyclododecane in Annex III, and document UNEP/FAO/RC/COP.9/7/Add.1, which contained the draft decision guidance document on that chemical. She recalled that, at its thirteenth meeting, the Chemical Review Committee had reviewed notifications of final regulatory action for hexabromocyclododecane submitted by Japan and Norway, together with supporting documentation, and had concluded that the criteria set out in Annex II had been met. Accordingly, the Committee had recommended that the Conference of the Parties should list hexabromocyclododecane in Annex III to the Convention as an industrial chemical. At its fourteenth meeting, in its decision CRC-14/2, the Committee had adopted the draft decision guidance document for hexabromocyclododecane.
60. In the ensuing discussion, all those who took the floor expressed support for the listing of hexabromocyclododecane in Annex III to the Convention.
61. The Conference of the Parties adopted the decision set out in document UNEP/FAO/RC/COP.9/7, approving the draft decision guidance document for hexabromocyclododecane and listing the chemical in Annex III to the Convention.
62. Decision RC-9/3, on the listing of hexabromocyclododecane in Annex III to the Rotterdam Convention, as adopted by the Conference of the Parties, is set out in the annex to the present report.

## **3. Phorate**

63. Introducing the sub-item, the representative of the Secretariat outlined the information in document UNEP/FAO/RC/COP.9/8, containing a draft decision, including draft text of an amendment to list phorate in Annex III, and document UNEP/FAO/RC/COP.9/8/Add.1, which contained the draft decision guidance document on that chemical. She recalled that, at its thirteenth meeting, the Chemical Review Committee had reviewed notifications of final regulatory action for phorate submitted by Brazil and Canada, together with supporting documentation, and had concluded that the criteria set out in Annex II had been met. Accordingly, the Committee had recommended to the Conference of the

Parties that phorate be listed in Annex III as a pesticide. At its fourteenth meeting, in its decision CRC-14/3, the Committee had adopted the draft decision guidance document for phorate.

64. In the ensuing discussion, all those who took the floor expressed support for the listing of phorate in Annex III to the Convention. A number of representatives underscored the consequences for human health of use of the chemical.

65. The Conference of the Parties adopted the decision set out in document UNEP/FAO/RC/COP.9/8, approving the draft decision guidance document for phorate and listing the chemical in Annex III to the Convention.

66. Decision RC-9/4, on the listing of phorate in Annex III to the Rotterdam Convention, as adopted by the Conference of the Parties, is set out in the annex to the present report.

#### 4. Acetochlor

67. Introducing the sub-item, the representative of the Secretariat outlined the information in document UNEP/FAO/RC/COP.9/6, containing a draft decision, including draft text of an amendment to list acetochlor in Annex III, and document UNEP/FAO/RC/COP.9/6/Add.1, which contained the draft decision guidance document on that chemical. She recalled that, at its thirteenth meeting, the Chemical Review Committee had reviewed notifications of final regulatory action for acetochlor submitted by the European Union and 10 African Parties (Burkina Faso, Cabo Verde, Chad, the Gambia, Guinea-Bissau, Mali, Mauritania, the Niger, Senegal and Togo), together with supporting documentation. The notifications by the 10 African Parties had all related to a single final regulatory action applicable to the Sahelian region via the Sahelian Pesticides Committee. The Committee had concluded that the criteria set out in Annex II had been met. Accordingly, the Committee had agreed to recommend to the Conference of the Parties that acetochlor be listed in Annex III as a pesticide. At its fourteenth meeting, in its decision 14/1, the Committee had adopted the draft decision guidance document for acetochlor.

68. In the ensuing discussion, many of those who took the floor expressed support for the listing of acetochlor in Annex III.

69. Disagreeing with the assertion by an observer that the notification by the 10 African countries did not meet the requirements of Annex II, a member of the Chemical Review Committee said that the notification and supporting documentation had been carefully reviewed. The countries had used the bridging principle and looked at international, published risk evaluations that addressed concerns regarding groundwater contamination. The 10 countries had demonstrated that the environmental management systems required in other countries, such as buffer strips or other means of avoiding groundwater contamination, could not be used in their own countries. They were also able to demonstrate a high risk of groundwater contamination. The Committee had therefore concluded that the notification met the criteria in Annex II.

70. The view that the notification did not meet the criteria of Annex II was shared by some Parties. One representative, supported by another, said that new information was available about the risks related to acetochlor. They thus proposed that the Chemical Review Committee undertake in-depth analysis of those risks for consideration by the Conference of the Parties at its tenth meeting. One representative expressed the view that risks could be mitigated with appropriate safety precautions.

71. The Conference of the Parties agreed that the President would hold informal consultations with the Parties that had opposed the listing before considering the matter further.

72. Notwithstanding those informal consultations, the Parties concerned continued to oppose the listing of acetochlor in Annex III. Requesting that their positions be reflected in the report of the meeting, a number of representatives indicated that they could not support the listing of acetochlor because not all the listing requirements had been met and additional scientific studies needed to be conducted on the subject.

73. A number of representatives concurred with the conclusion of the Chemical Review Committee that acetochlor did meet the requirements for listing. One representative proposed that, if there was no agreement on listing, the Conference of the Parties, in accordance with past practice, adopt a decision to confirm that all the criteria for listing the chemical under the Convention had been met. The proposal for amending the draft decision was met with widespread support.

74. The Conference of the Parties adopted the draft decision, as orally amended, and decided to defer further consideration of acetochlor to its tenth meeting.

75. Decision RC-9/5, on consideration of acetochlor for listing in Annex III to the Rotterdam Convention, as adopted by the Conference of the Parties, is set out in the annex to the present report.

## 5. Carbosulfan

76. Introducing the sub-item, the representative of the Secretariat outlined the information in document UNEP/FAO/RC/COP.9/9, containing a draft decision, including draft text of an amendment to list carbosulfan in Annex III, and document UNEP/FAO/RC/COP.9/9/Add.1, which contained the draft decision guidance document on that chemical. She recalled that the Conference of Parties had deliberated on the inclusion of carbosulfan in Annex III at its eighth meeting, but had been unable to reach consensus. In its decision RC-8/6, the Conference of the Parties had decided that all the requirements set out in Articles 5 and 7 for listing in Annex III had been met for carbosulfan and that the issue of its listing would be included in the agenda of the current meeting.

77. In the ensuing discussion, many representatives, including one speaking on behalf of a group of countries, expressed support for the listing of carbosulfan in Annex III to the Convention, with several citing the health concerns associated with the chemical and one noting that recent research in his country had caused his Government to reverse its previous opposition to listing. A number of representatives, including one speaking on behalf of a group of countries, stressed that all the requirements set out in Articles 5 and 7 for listing in Annex III had been met for carbosulfan and that listing should necessarily follow. One representative emphasized that the listing of a chemical in Annex III to the Convention did not constitute a ban on the use of that chemical nor its import or export.

78. Some representatives opposed the listing, highlighting the use of carbosulfan to combat particular agricultural pests in their countries and to manage pest resistance, as well as the lack of equally effective, safer, and tested alternatives. A number also said that listing could undermine food security in their countries given the importance of the crops that carbosulfan helped to protect. One representative said listing the chemical was also unwarranted because one of the notifications examined by the Chemical Review Committee did not meet the criteria set out in Annex II as no risk evaluation had been performed involving the prevailing conditions within the Party taking action.

79. The Conference of the Parties agreed that the President would hold informal consultations with the Parties that had opposed the listing before considering the matter further.

80. Notwithstanding the informal consultations, the representatives concerned continued to oppose the listing of carbosulfan in Annex III. Given the lack of consensus, the Conference of the Parties decided to defer further consideration of carbosulfan to its tenth meeting.

## 6. Liquid formulations (emulsifiable concentrate and soluble concentrate) containing paraquat dichloride at or above 276 g/L, corresponding to paraquat ion at or above 200 g/L

81. Introducing the sub-item, the representative of the Secretariat outlined the information in document UNEP/FAO/RC/COP.9/12, containing a draft decision, including draft text of an amendment to list liquid formulations (emulsifiable concentrate and soluble concentrate) containing paraquat dichloride at or above 276 g/L, corresponding to paraquat ion at or above 200 g/L, in Annex III, and document UNEP/FAO/RC/COP.9/12/Add.1, which contained the draft decision guidance document on that chemical. He recalled that, at its sixth, seventh and eighth meetings, the Conference of the Parties had deliberated on the inclusion of paraquat dichloride formulations in Annex III, but had been unable to reach consensus. In its decision RC-6/8, the Conference of the Parties had decided that all the requirements set out in Articles 6 and 7 for listing in Annex III had been met for the paraquat dichloride formulations and that the issue of its listing would be included in the agenda of the current meeting.

82. In the ensuing discussion many representatives, including one speaking on behalf of a group of countries, supported listing liquid formulations containing paraquat dichloride at or above 276 g/L, corresponding to paraquat ion at or above 200 g/L, in Annex III to the Convention. Many representatives drew attention to its toxicity and impact on human health and the environment or legislation in their countries that banned or restricted its use. A number of representatives, including one speaking on behalf of a group of countries, reiterated that all the requirements set out in Articles 6 and 7 for listing in Annex III had been met. Several representatives noted that, while their countries allowed the import and regulated use of the paraquat dichloride formulations, their Governments supported listing in order to facilitate information exchange and safe use of the chemical. One representative emphasized that Parties should consider the health impacts of the paraquat dichloride formulations on agricultural workers and their families.

83. A few representatives opposed listing the paraquat dichloride formulations under discussion in Annex III, noting their wide use within important agricultural sectors in their countries and the lack of suitable alternatives. One highlighted a broad national-level scientific assessment, conducted within his country since the previous meeting of the Conference of the Parties, that had examined the chemical's impact on soils, plants and humans, and concluded that when used properly, the paraquat dichloride formulations under discussion did not significantly harm human health and the environment. Another underscored the need for the Conference of the Parties to take many different issues into account, including particular national circumstances, before listing a chemical.

84. The Conference of the Parties agreed that the President would hold informal consultations with the Parties that had opposed the listing before considering the matter further.

85. Notwithstanding the informal consultations, the representatives concerned continued to oppose the listing of paraquat formulations in Annex III with a number highlighting the lack of viable alternatives. One representative noted that, although his Government could not support the listing of paraquat formulations at the current meeting owing to opposition from farmers in his country, his Government stood ready to prepare a national road map to reduce its use and to help farmers in obtaining alternatives, with a view to supporting the listing of paraquat formulations at the tenth meeting of the Conference of the Parties.

86. Given the lack of consensus, the Conference of the Parties decided to defer further consideration of paraquat formulations to its tenth meeting.

#### **7. Fenthion (ultra-low-volume (ULV) formulations at or above 640 g active ingredient/L)**

87. The representative of the Secretariat outlined the information in document UNEP/FAO/RC/COP.9/11, containing a draft decision, including draft text of an amendment to list fenthion (ultra-low-volume (ULV) formulations at or above 640 g active ingredient/L), and document UNEP/FAO/RC/COP.9/11/Add.1, which contained the draft decision guidance document on that pesticide formulation. He recalled that the Conference of the Parties had deliberated on the inclusion of fenthion (ultra-low-volume formulations at or above 640 g active ingredient/L) in Annex III to the Convention at its seventh and eighth meetings, but had been unable to reach consensus. In its decision RC-8/7, the Conference of the Parties had decided that all the requirements set out in Articles 6 and 7 for listing in Annex III had been met for fenthion formulations and that the issue of its listing would be included in the agenda of the current meeting.

88. In the ensuing discussion, a number of representatives opposed the listing of fenthion formulations in Annex III to the Convention, highlighting the importance of its use to protect major food crops from quelea birds and to promote food security in their countries, and that no viable and effective alternatives to fenthion formulations existed.

89. One representative said that his country continued to depend on fenthion formulations to control quelea birds but nevertheless supported its listing in Annex III.

90. Many other representatives, including one speaking on behalf of a group of countries, also expressed support for the listing of fenthion formulations in Annex III, stressing that it was highly hazardous and toxic and that its listing would help developing countries to better manage the risks associated with the chemical. Several representatives, including one speaking on behalf of a group of countries, emphasized that the listing of a chemical in Annex III did not impact trade and did not constitute a ban or an invitation to ban the chemical, but would enable Parties to access key information on the chemical for informed decision-making.

91. Many representatives called on the Secretariat and on donors, as well as FAO, to provide technical and financial support to countries to find and implement economically feasible and viable alternatives to fenthion formulations to control the birds that damaged crops in Sahelian and other African countries.

92. Following the discussion, the Conference of the Parties agreed that the President would hold informal consultations with the Parties that had opposed the listing before considering the matter further.

93. Notwithstanding the informal consultations, the representatives concerned continued to oppose the listing of fenthion formulations in Annex III. One representative, delivering a joint statement on behalf of a number of representatives, noted that no viable alternatives to fenthion existed to control the quelea bird, which swarmed in great numbers over large areas. He recommended that robust research leading to the development of effective alternatives be undertaken as soon as possible.

94. Given the lack of consensus, the Conference of the Parties decided to defer further consideration of fenthion formulations to its tenth meeting.

95. Subsequently, a number of representatives delivered statements in support of the listing of fenthion, highlighting its unintended effects on non-targeted species of plants and wildlife, and its potential for polluting water sources.

## 8. Chrysotile asbestos

96. The representative of the Secretariat outlined the information in document UNEP/FAO/RC/COP.9/10, containing a draft decision, including draft text of an amendment to list chrysotile asbestos, and document UNEP/FAO/RC/COP.9/10/Add.1, which contained the draft decision guidance document on that chemical. She recalled that the Conference of the Parties had deliberated on the listing of chrysotile asbestos in Annex III to the Convention at its third, fourth, fifth, sixth, seventh and eighth meetings, and had not been able to reach consensus on its listing. In its decision RC-3/3, the Conference of the Parties had decided that all the requirements set out in Articles 5 and 7 for listing in Annex III had been met for chrysotile asbestos. At its eighth meeting, given that no consensus had been reached on the issue of listing, the Conference of the Parties had decided to defer further consideration of the issue to the current meeting.

97. In the ensuing discussion, many representatives, including one speaking on behalf of a group of countries, voiced strong support for listing chrysotile asbestos in Annex III to the Convention, underscoring that the Conference of the Parties had already agreed that all the criteria for listing had been met and that the listing was long overdue and would enable the Parties to make informed decisions on the chemical.

98. Many other representatives opposed the listing, emphasizing that chrysotile asbestos was different to other forms of asbestos and could be safely used under controlled circumstances and that scientific data confirming that it posed an unacceptable risk to human health or the environment was lacking. A number of representatives said that the issue of listing chrysotile asbestos in Annex III should not be considered further by the Conference of the Parties unless and until new scientific data to justify the listing was submitted for its consideration.

99. A number of representatives suggested that in-depth scientific research should be conducted within the framework of the Rotterdam Convention to substantiate the health and environmental effects of chrysotile asbestos in both occupational and non-occupational settings.

100. One representative, speaking on behalf of a group of countries, emphasized that the purpose of the Rotterdam Convention was not to carry out risk assessments or comprehensive assessments of specific chemicals or their alternatives, but to analyse the notifications of final regulatory action taken by Parties on specific chemicals against the criteria set out in the Convention. Another representative, noting that the International Agency for Research on Cancer of the World Health Organization (WHO) had classified all forms of asbestos as carcinogenic, said that there were multiple sources of scientific information substantiating the negative human health effects of all forms of asbestos, including chrysotile.

101. The representative of WHO said that, as previously indicated by WHO, there was conclusive and overwhelming scientific evidence that chrysotile asbestos caused cancer in humans, specifically mesothelioma and cancer of the lung, larynx and ovary, and that no threshold for adverse effects had been identified and therefore no safe levels of exposure to the chemical could be established. She further stressed that chrysotile asbestos was widely used in building materials and in vehicle parts, where the exposure of workers and the general public could not be avoided, that chrysotile-containing products degraded in situ and presented waste management challenges, particularly following natural and other disasters, and that cases of mesothelioma did occur in countries producing and using chrysotile but may be underreported due to inadequate cancer detection systems. Safer alternatives to chrysotile had been deployed in many countries, and WHO would continue to offer its support to countries to address the problem of chrysotile asbestos and the serious threats it posed to public health.

102. The representative of the International Labour Organization (ILO) said that the ILO Asbestos Convention, 1986 (No. 162), which covered all forms of asbestos, including chrysotile, outlined measures to be taken for the prevention of health hazards due to occupational exposure to asbestos, which were classified as carcinogens by the International Agency for Research on Cancer of WHO. She called for the elimination of all future uses of asbestos and the identification and proper management of asbestos currently in place. She stressed that the ILO Asbestos Convention should not be used to justify or endorse the continued use of asbestos and that ILO supported measures that provided for the protection of workers from all forms of asbestos.

103. Given the lack of consensus, the Conference of the Parties agreed to defer further consideration of chrysotile asbestos to its tenth meeting.

## **C. Enhancing the effectiveness of the Convention**

104. Introducing the sub-item, the President said that it comprised two parts: intersessional work on enhancing the effectiveness of the Rotterdam Convention, and two concrete proposals to amend the Convention, which had been submitted for consideration by the Conference of the Parties at its eighth meeting, but whose consideration had not been completed at that meeting.

### **1. Intersessional work on enhancing the effectiveness of the Rotterdam Convention**

105. Introducing the matter, the representative of the Secretariat highlighted the information contained in document UNEP/FAO/RC/COP.9/13, which outlined activities carried out pursuant to decision RC-8/8, on enhancing the effectiveness of the Rotterdam Convention, and included a draft decision. The activities conducted included the preparation by the Secretariat of a report analysing the legal and operational implications of priority actions identified by the Parties, by means of an online survey, to enhance the effectiveness of the Convention, and the identification of prioritized recommendations and further steps for enhancing the effectiveness of the Convention by the working group on enhancing the effectiveness of the Rotterdam Convention, established in decision RC-8/8, on the basis of the above-mentioned report prepared by the Secretariat and comments received thereon from Parties and others. Such work had been possible thanks to generous financial contributions from the European Union and the Governments of Australia, Germany and Norway. In addition, in response to the recommendations by the intersessional working group, the Secretariat had prepared a series of documents on enhancing the effectiveness of the Convention, for consideration by the Conference of the Parties at the current meeting, (UNEP/FAO/RC/COP.9/INF/17–23).

106. At the invitation of the President, Ms. Silvija Nora Kalnins (Latvia), co-chair of the working group on enhancing the effectiveness of the Rotterdam Convention, described the work of the group. She said that it had held a face-to-face meeting in Riga from 4 to 6 June 2018 and, in accordance with decision RC-8/8, had identified prioritized recommendations and further steps to enhance the effectiveness of the Convention, taking into account the report prepared by the Secretariat and comments received thereon. The recommendations related to the process of listing chemicals in Annex III to the Convention; information exchange, including through the clearing house mechanism; capacity-building and technical assistance, including through the development of guidance and awareness-raising; and other processes. The report of the meeting, including the recommended priority actions and further steps identified by the working group, was set out in document UNEP/FAO/RC/INF.1/4. The priority actions and further steps identified by the working group were also reproduced in the annex to document UNEP/RC/COP.9/13.

### **2. Proposals to amend the Convention**

107. Introducing the matter, the representative of the Secretariat drew attention to document UNEP/FAO/RC/COP.9/13/Add.1, which set out a proposal to amend Article 16 of the Rotterdam Convention, on technical assistance, and another proposal to amend Article 22 of the Convention, on the adoption and amendment of annexes. The proposals had been submitted by several African Parties for consideration by the Conference of the Parties at its eighth meeting, but as their consideration had not been completed at the meeting, the matter had been included in the provisional agenda of the current meeting, in accordance with rules 10 (c) and 16 of the rules of procedure, which had been adopted at the beginning of the meeting.

### **3. Discussion**

108. In the ensuing discussion, covering both the intersessional work and the proposals to amend the Convention, many representatives, including a number speaking on behalf of groups of countries, expressed appreciation for the work undertaken by the intersessional working group and the Secretariat on enhancing the effectiveness of the Rotterdam Convention. Broad support was expressed for many of the recommendations, some of which were already being put into practice, including, inter alia, efforts to expand and enhance information exchange, including through the clearing house mechanism; strengthening national capacities to utilize information; augmenting financial, technical and capacity-building assistance to implement the Convention, including in relation to utilizing the prior informed consent procedure and enhancing border and customs controls; adopting a compliance mechanism; developing measures so that all notified final regulatory actions met the listing criteria; strengthening the Chemical Review Committee; enhancing cooperation between the Secretariat and

other relevant, international bodies; and strengthening awareness of the core purposes of the Convention, including the reasons for, and consequences of, listing a chemical in Annex III.

109. A number of representatives, including one speaking on behalf of a group of countries, suggested that no further intersessional work was needed to assess the effectiveness of the Convention, while one welcomed the possibility of such work. One representative said that the Chemical Review Committee was fulfilling its mandate and providing robust recommendations and thus there was no need to alter its procedures, develop a new manual or revise the existing manual.

110. With regard to the proposals to amend the Rotterdam Convention, many representatives, including one speaking on behalf of a group of countries, expressed support for amending Article 16 so that the provision of technical and financial assistance to developing country Parties and Parties with economies in transition would include utilization of the Global Environment Facility trust fund. Together with other representatives, including one speaking on behalf of a group of countries, they emphasized that the provision of adequate and predictable financing and technical assistance was fundamental to the implementation and effectiveness of the Convention. One emphasized that certain effectiveness issues could not be adequately addressed if the provision of technical and financial assistance depended on voluntary contributions. A number said that establishing a financial mechanism under the Rotterdam Convention to assist effective implementation would enhance opportunities to establish a compliance mechanism. Several other representatives, including one speaking on behalf of a group of countries, opposed the proposal to amend Article 16, with a number underscoring their countries' support for the provision of financing and technical assistance, but for doing so through existing mechanisms.

111. A number of representatives expressed support for the proposed amendment to Article 22 that would allow the Conference of Parties to list additional chemicals in Annex III of the Convention by a three-fourths majority vote of the Parties present and voting. They expressed the view that such an amendment would improve the effectiveness of the Convention by removing the ability of a small number of Parties, or even a single Party, to prevent the listing of a chemical when it was supported by a large majority of Parties and based on a scientifically based recommendation by the Chemical Review Committee. One representative, speaking on behalf of a group of countries, emphasized the importance of the issue for a number of countries in his region.

112. Many representatives, including a number speaking on behalf of groups of countries, expressed opposition to the proposed amendment. Many representatives, including one speaking on behalf of a group of countries, expressed specific support for the principle of consensus-based decision-making. In their view, preserving that principle with regard to listing chemicals would, *inter alia*, provide for more inclusive, better balanced and higher quality outcomes that enjoyed the support of all Parties; ensure that Parties of varying interests and capabilities could implement the decision; prevent a potential erosion of support for the Convention; respect the views and rights of all Parties; and ensure that the listing of chemicals in Annex III remained aligned both with the underlying consensus-based principles of the Rotterdam Convention and with Principle 12 of the Rio Declaration on Environment and Development. One representative, speaking on behalf of a group of countries, and supported by several others, said that the issue should not be on the agenda of future meetings of the Conference of the Parties.

113. Many representatives, including one speaking on behalf of a group of countries, highlighted potential procedural and implementation problems that could result from the amendment, including that entry into force would take too long and result in logistical problems that would undermine the operation of the Convention, including the probability that all Parties would not be subject to the same prior informed consent procedures for the same chemicals. A number of representatives, including one speaking on behalf of a group of countries, while expressing opposition to the proposed amendment, also expressed sympathy for the underlying situation that the proposal sought to address.

114. Many representatives, including a number speaking on behalf of groups of countries, noted that listing a chemical in Annex III in no way banned or restricted its use or international trade but rather, in line with the purpose of the Convention, was intended to facilitate the exchange of information on a wide range of hazardous chemicals in order to assist national decision-making and promote transparency, capacity-building, and shared responsibility. One representative, speaking on behalf of a group of countries, and supported by a number of others, said that some Parties and other stakeholders had evidently misinterpreted the inclusion of a chemical in Annex III as an effective prohibition of its trade or use. That confusion had had an impact on decisions by the Parties on whether a chemical should be listed or not with negative consequences for the effectiveness of the Convention. Many representatives underscored that decisions on the listing of chemicals should be based on the scientific criteria delineated in the Convention.

#### **4. Establishment of a contact group**

115. Following the discussion, the Conference of the Parties established a contact group on enhancing the effectiveness of the Rotterdam Convention, co-chaired by Ms. Silvija Kalnins (Latvia) and Mr. Andrew McNee (Australia). The group was mandated to prepare for consideration by the Conference of the Parties a draft decision on enhancing the effectiveness of the Rotterdam Convention, based on the draft decision in document UNEP/FAO/RC/COP.9/13 and the working group recommendations in the annex thereto, as well as the two proposed amendments set out in document UNEP/FAO/RC/COP.9/13/Add.1, and taking into account the discussion in plenary. The group was also tasked with considering the recommendations as they related to the operations of the Chemical Review Committee and to prepare, if deemed necessary, text on the operation of the Chemical Review Committee, to be included in the draft decision on the Committee (UNEP/FAO/COP.9/5/Rev.1).

116. Subsequently, the President mandated the contact group on technical assistance and financial resources and the contact group on enhancing the effectiveness of the Rotterdam Convention with meeting to jointly consider issues related to technical assistance and financial resources that were raised during the discussions of the contact group on enhancing the effectiveness of the Convention.

117. Subsequently, the President reported that the contact group on enhancing the effectiveness of the Convention had not been able to reach agreement on the proposals to amend articles 16 and 22 of the Rotterdam Convention and invited further comments from the Parties on both proposals.

118. With regard to the proposal to amend Article 22 of the Convention, several representatives reiterated their opposition to the proposal and suggested that, given that many Parties had opposed it, the Conference of the Parties should not consider it further.

119. One representative, speaking on behalf of the proponents of the proposal, informed the Conference of the Parties that the proposal was being withdrawn. He expressed the hope that, in the future, the Parties would reach consensus on listing chemicals in Annex III to the Convention as soon as it was determined that the Rotterdam Convention criteria for listing had been met. He noted that the proposed amendment had sought to avoid situations in which, due to the opposition of a few Parties hazardous chemicals that had been found to meet the Convention criteria for listing were not listed despite repeated clarifications that the inclusion of a chemical in Annex III did not amount to its banning but would merely facilitate information exchange on the chemical for the purpose of decision-making.

120. With regard to the proposal to amend Article 16 of the Convention, one representative, speaking on behalf of a group of countries, reiterated the view that a dedicated financial mechanism for the Rotterdam Convention was necessary to ensure the availability of predictable and sustainable funding for activities and programmes that supported the Convention's implementation by developing country Parties, since the implementation of many such activities and programmes was dependent on voluntary contributions and was therefore not assured. He suggested that the Conference of the Parties should continue to discuss the proposal and should request the Secretariat to draft a proposal on how to establish a dedicated financial mechanism for the Rotterdam Convention for consideration by the Conference of the Parties at its tenth meeting.

121. The Conference of the Parties agreed to defer further consideration of the proposal to amend Article 16 of the Convention to its tenth meeting.

#### **5. Adoption of decision**

122. Subsequently, the Conference of the Parties to the Rotterdam Convention adopted a draft decision, as orally amended, submitted by the contact group on enhancing the effectiveness of the Rotterdam Convention.

123. Decision RC-9/6, on enhancing the effectiveness of the Rotterdam Convention, as adopted by the Conference of the Parties, is set out in the annex to the present report.

#### **D. Compliance**

124. The discussion summarized in paragraphs 125 to 130 took place during joint sessions of the fourteenth meeting of the Conference of the Parties to the Basel Convention, the ninth meeting of the Conference of the Parties to the Rotterdam Convention and the ninth meeting of the Conference of the Parties to the Stockholm Convention.

125. The representative of the Secretariat recalled that the issue of compliance had been considered at all eight previous meetings of the Conference of the Parties to the Rotterdam Convention, but

consensus had not been reached. She outlined the information in document UNEP/FAO/RC/COP.9/14/Rev.1, including the text of the annex to decision RC-7/6 and the text of the draft decision submitted by the co-chairs of the contact group on compliance matters at the seventh meeting of the Conference of the Parties. In addition, document UNEP/FAO/RC/COP.9/14/Add.1/Rev.1 contained a proposal by a number of Parties for a new annex VII to the Convention entitled “Procedures and mechanisms on compliance with the Rotterdam Convention”. Comments from Parties on the proposal were set out in document UNEP/FAO/RC/COP.9/INF/25, while document UNEP/FAO/RC/COP.9/INF/41 contained an explanatory note from the proponents.

126. The representative of Switzerland, speaking on behalf of the Parties proposing the new annex, recalled that Article 17 of the Convention required the Conference of the Parties to develop a compliance mechanism “as soon as practicable”. While a large majority of Parties had supported proposed text for such a mechanism at both the seventh and eighth meetings of the Conference of the Parties in 2015 and 2017 respectively, consensus on the matter had proved elusive. The proposed annex, which was essentially the same text that had been considered by those previous meetings, would establish a compliance committee, set out its procedures, define who could make submissions to the Committee and define the possible measures to address compliance issues. The primary objective was to work with Parties to facilitate compliance and help Parties to develop compliance plans.

127. In the ensuing discussion, many representatives supported the establishment of a compliance mechanism for the Rotterdam Convention, as stipulated by Article 17. Several representatives, including one speaking on behalf of a group of countries, said that a compliance mechanism was a fundamental requirement in ensuring that multilateral environmental agreements achieved their objectives and were fully implemented. One representative said that a compliance mechanism would support implementation of the provisions of the Rotterdam Convention by drawing attention to challenges faced by Parties in fulfilling their obligations under the Convention and helping to identify areas where technical or financial assistance or other support would assist Parties in overcoming those challenges. Another representative said that the effectiveness of a convention was linked to its capacity to evaluate compliance through non-punitive, facilitative instruments.

128. Many representatives supported the proposal to add a new annex on compliance to the Convention. Some representatives, including one speaking on behalf of a group of countries, said that a practically agreed negotiated text existed from the seventh meeting of the Conference of the Parties and should not be reopened, while one representative said that there was merit in building on the discussions at the eighth meeting. Many representatives expressed a clear preference for any decision establishing compliance procedures and mechanisms to be adopted by consensus, with several stating that, however, if all efforts at consensus had been exhausted, the adoption of a new annex could be by a three-fourths majority vote pursuant to paragraph 3 of Article 21.

129. One representative said that the proposal to introduce a compliance mechanism using an annex offered flexibility to Parties in accordance with paragraph 3 (b) of Article 22, which stated that any Party unable to accept an additional annex could convey its non-acceptance to the depositary, which would then inform all Parties of any such notification. Another representative said that inclusion of a compliance mechanism in the form of an annex could result in a mechanism that was applicable to some Parties and not others, compromising the integrity and efficiency of the Convention. Another representative said that there was a potential contradiction between a modality allowing non-acceptance of a compliance mechanism and the provision of Article 27 stating that “No reservations may be made to this Convention”. Some Parties said that the proposed annex did not fulfil the requirement of Article 22 of the Convention that “Annexes shall be restricted to procedural, scientific, technical or administrative matters”.

130. Following the discussion, it was agreed that further consideration of the matter would be continued during the separate sessions of the meeting of the Conference of the Parties to the Rotterdam Convention.

131. During subsequent consideration of the matter, several representatives reiterated the views that they had expressed earlier in the meeting.

132. Several representatives said that resolution of the matter of a compliance mechanism was long overdue and they wanted to adopt at the current meeting the text contained in annex I to document UNEP/FAO/RC/COP.9/14/Rev.1. Numerous representatives were adamant that text agreed to previously should not be reopened for discussion.

133. The President suggested the establishment of a group of friends of the President to work on the matter further. He suggested that representatives of three Parties from each of the five United Nations regions join the group of the friends of the President. Following a request for an explanation of his choice of members and proposals by a number of representatives, including one speaking on behalf of a group of countries, to widen participation in the discussion, the President explained that the Parties he had chosen represented the range of divergent views on the matter that had been expressed during the meeting, and in particular those Parties holding minority views. He then suggested a fourth member from each of the five regions, chosen on the same basis.

134. The Conference of the Parties agreed to establish a group of friends of the President, facilitated by Mr. Glenn Wigley (New Zealand) and comprising up to two representatives from each of the following Parties, on the understanding that one representative from each Party would be designated to speak during the negotiations:

- (a) From the African States: Namibia, South Africa, United Republic of Tanzania, Zambia;
- (b) From the Asia-Pacific States: China, India, Iran (Islamic Republic of), Japan;
- (c) From the Central and Eastern European States: Armenia, Latvia, Romania, Russian Federation;
- (d) From the Latin American and Caribbean States: Argentina, Colombia, Ecuador, Trinidad and Tobago;
- (e) From the Western European and other States: Canada, European Union, Switzerland, United Kingdom of Great Britain and Northern Ireland.

135. The group was mandated to consider the text of the annex to decision RC-7/6, set out in annex I to document UNEP/FAO/RC/COP.9/14/Rev.1, in an attempt to reach agreement with regard to the text remaining in square brackets therein which pertained to possible measures to address compliance issues. In the event that it was unable to do so, the group would consider and attempt to reach agreement based on the package consisting of the text set out in annex I to document UNEP/FAO/RC/COP.9/14/Rev.1 and the draft decision submitted by the co-chairs of the contact group on compliance matters at the seventh meeting of the Conference of the Parties, as contained in annex II to document UNEP/FAO/RC/COP.9/14/Rev.1.

136. Subsequently, Mr. Wigley reported on the deliberations of the group of friends of the President. He said that the group had discussed the bracketed text in annex I to document UNEP/FAO/RC/COP.9/14/Rev.1, but had failed to achieve consensus on whether to delete the brackets, delete the measures, or otherwise agree on different text. The group had also considered annex I and annex II to that document as a package that would put in place a compliance mechanism for the Convention, with the text remaining in square brackets in annex I to be revisited in the future. Again, there had been a failure to achieve consensus, as one representative had not supported the revised text for annex II developed by the group, and had wanted to consider additional text outside the mandate provided to the group of friends of the President.

137. The President invited the Conference of the Parties to adopt the procedures and mechanisms on compliance set out in annex I to document UNEP/FAO/RC/COP.9/14/Rev.1. One representative objected to proceeding in that manner. The President then invited the Conference of the Parties to adopt the procedures and mechanisms on compliance set out in annex I to document UNEP/FAO/RC/COP.9/14/Rev.1 on the basis of the decision set out in annex II to that document. Two representatives objected to proceeding in that manner. The President confirmed that there was no consensus among the Parties to adopt the text of annex I of document UNEP/FAO/RC/COP.9/14/Rev.1; and the text of that document and that of annex II as a package,

138. The President invited the Conference of the Parties to adopt the proposed new annex VII on "Procedures and mechanisms on compliance with the Rotterdam Convention" set out in the annex to document UNEP/FAO/RC/COP.9/14/Add.1/Rev.1, whose content, he explained, was similar to that of annex I to document UNEP/FAO/RC/COP.9/14/Rev.1. The representative of Switzerland, speaking on behalf of the Parties proposing the new annex, reiterated the benefits for all Parties of the proposed annex and said that, given the length of time over which the issue of a compliance mechanism under the Convention had been discussed, the stipulation in Article 17 that such a mechanism be established "as soon as practicable", and the overwhelming majority in favour of its adoption, it would be appropriate to adopt the proposed annex at the current meeting, if possible by consensus.

139. Many representatives, including several of the proponents of the new annex, again expressed support for the adoption of the proposed annex. There was broad support for adoption by consensus as

a preferable way forward, but several representatives expressed a willingness to resort to legal alternatives should consensus not be achieved.

140. One representative said that the proposals on the compliance mechanism, as they stood, contained elements that were too punitive, and the scope of the discussion had been too narrow to allow consideration of all relevant issues. Further time was needed to resolve outstanding issues related to compliance, and substantive and procedural issues related to the adoption of a new annex to the Convention. Several other representatives, including several expressing support for the adoption of compliance procedures, expressed reservations about dealing with the matter through the adoption of a new annex.

141. Given the failure to reach agreement by consensus on the matter despite all efforts to do so, one representative proposed that a vote be taken on the matter of whether to adopt a new annex VII on “Procedures and mechanisms on compliance with the Rotterdam Convention”.

142. The President, noting the proposal to proceed with a vote and that all efforts to reach consensus had been exhausted, proposed that the Conference of the Parties consider adopting the new Annex VII by means of a vote the following day, subsequent to the adoption of the report on credentials. Several representatives expressed their support for the proposed way forward, noting that it would enable them to consult with their capitals, while many others said that the Conference of the Parties should proceed immediately to vote on the matter.

143. Several representatives, including one speaking on behalf of a group of countries, raised queries on the legal aspects of the proposed process. One representative sought legal clarification on whether the adoption of an annex containing a compliance mechanism that allowed Parties to opt out was compatible with paragraph 1 of Article 22, which stated that annexes were an integral part of the Convention, and whether an annex on compliance was compatible with the stipulation in paragraph 2 of Article 22 that “annexes shall be restricted to procedural, scientific, technical or administrative matters”.

144. The Senior Legal Adviser responded to the issues raised. On the matter of the compatibility with paragraph 1 of Article 22, there was no contradiction, as the proposed annex would be an integral part of the Convention, while those Parties that opted out would not be bound by the annex, in accordance with international treaty law. On the matter of whether the substance of the annex was within the criteria listed in paragraph 2 of Article 22, a comparison of existing annexes showed that those were varied in nature, ranging from clarifying information requirements to be transmitted by Parties, to steps to be followed by the Chemical Review Committee when exercising its functions, and to the settlement of disputes. The text on the settlement of disputes showed some similarities with that on compliance procedures as both aimed at ensuring respect with treaty obligations. In any event, the adoption of an annex by the Conference of the Parties would indicate that the Parties considered that annex to be compatible with the criteria in paragraph 2 of Article 22. The proposed voting process was also in accordance with paragraph 3 of Article 21 and paragraph 3 (a) of Article 22 of the Convention, stating that a new annex could be adopted by a three-fourths majority of Parties present and voting, if all efforts at consensus had been exhausted, as in the present case. There also had to be a proposal to proceed to a vote, and that had been put forward by one representative. On the matter of whether the vote could take place before the adoption of the report of the Bureau on credentials, the rules of procedure provided that representatives of Parties were entitled to participate provisionally in the meeting pending a decision by the Conference of the Parties to accept their credentials, and that the term “participate” included decision-making, including by means of a vote. Finally, any action taken to adopt the proposed annex VII did not affect the decision-making process to list chemicals in Annex III, for which decisions would be adopted by consensus, in accordance with paragraph 5 (b) of Article 22.

145. Taking into account the views expressed by many representatives, the President suggested again that the Conference of the Parties proceed immediately with a vote. No objection was raised to that suggestion. Accordingly, the Conference of the Parties proceeded to vote, by show of hands, on the adoption of a new Annex VII to the Rotterdam Convention, entitled “Procedures and mechanisms on compliance with the Rotterdam Convention”, as set out in annex I to document UNEP/FAO/RC/COP.9/14/Add.1/Rev.1. Following the tally of votes, the Senior Legal Adviser reported that of the 126 Parties present and voting on the matter, 120 had voted in favour of the adoption of the new annex and 6 had voted against. The President announced that the Conference of the Parties had thus adopted by vote Annex VII to the Convention, entitled “Procedures and mechanisms on compliance with the Rotterdam Convention”.

146. Decision RC-9/7, on procedures and mechanisms on compliance with the Rotterdam Convention, as adopted by the Conference of the Parties, is set out in the annex to the present report.

147. Following the adoption of the annex, the representatives of the following Parties indicated that they had not taken part in the vote on the matter and asked that their abstention be reflected in the present report: Argentina, Australia, Bolivia (Plurinational State of), Brazil, China, Pakistan, Russian Federation and Venezuela (Bolivarian Republic of). The reasons given for abstaining included a desire for more time to consult with national Governments; and concern that the proposed mechanism would result in a two-speed process, with the possibility of some Parties not being bound by the compliance procedures and mechanism. Also requesting that their comments be reflected in the present report, the representative of Australia congratulated the proponents of the new Annex VII and explained that his Party's abstention was due to the need to avoid taking decisions that could bind a future Government prior to an upcoming election, and the representative of Cuba noted her concern regarding the voting procedure, in particular the lack of time accorded for consultation with her capital.

148. Several representatives stressed that the procedure used in the adoption of the annex should not constitute a precedent for other issues of substance to be decided upon in the absence of consensus. One representative also noted that no report on credentials had been adopted prior to the vote.

149. One representative, requesting that his views be reflected in the present report, said that he had voted against the adoption of the new annex because he had residual reservations regarding both substance and procedure. A compliance mechanism that was not binding on all Parties would divide the Parties into two groups and create uncertainty in relation to those who opted out of the mechanism. He reiterated the importance of not using the adoption of the annex as a precedent for future decisions.

150. Another representative said that he had voted against the adoption of the annex owing to his concern that such a decision required further consultation with his Government.

151. Following the adoption of the report of the Bureau on credentials, one representative asked whether the report would be made publicly available, noting that the report had shown that eight Parties had not submitted valid credentials and that they could participate only as observers; requested the Secretariat to clarify how the vote on Annex VII would be recorded, called out and supervised; asked if it was possible to determine whether those eight Parties had taken part in the vote; and sought clarification on whether the eight Parties had had the right to vote as observers. Responding to the questions, the Senior Legal Advisor said that, in accordance with past practice, the report on credentials would be reflected in the report of the meeting. She again drew attention to rule 21 of the rules of procedure, which provided that representatives were entitled to participate provisionally in the meeting, pending a decision by the Conference of the Parties to accept their credentials. She clarified that the word "participate" included decision-making by voting, meaning that Parties could vote on matters prior to the adoption of the report of the Bureau on credentials should the Conference of the Parties decide to proceed in that way. The adoption of the report determined who could vote at the meeting following adoption but had no retroactive effect on matters that had already been decided upon.

152. A number of representatives nevertheless expressed the view that the procedure could not be considered correct given that it had allowed voting by Parties that did not have the proper credentials. One representative indicated that while he was not opposed to the establishment of a compliance mechanism, he had reservations regarding the procedure for its establishment. Others, however, said that not only had the procedure been formally and procedurally correct, the outcome of the vote had been very clear and would not have been affected by the report of the Bureau on credentials.

153. One representative drew attention to rule 38 of the rules of procedure, which provided that "during the discussion of any matter, a representative may at any time raise a point of order, on which the President shall immediately rule in accordance with the present rules. A representative may appeal against the ruling of the President. The appeal shall be put to the vote immediately and the ruling shall stand unless overruled by a majority of the Parties present and voting." On that basis, he contended that the President's proposal that the Conference of the Parties vote on the adoption of the new annex subsequent to the adoption of the report on credentials should have been subject to a vote prior to proceeding to a vote on the adoption itself. In response, the President noted that no points of order had been raised during the voting process, and there had therefore been no requirement for a vote on his proposal.

154. In response to the explanation provided by the Secretariat, one representative said that the establishment of a compliance mechanism was a very serious matter and that voting should be used as a last resort once all efforts at reaching consensus had been exhausted. It was a very serious action that required proceeding with caution. If credentials were not necessary for such a serious vote, he queried whether they would be even less so for other negotiations and consultations in the context of the Conference of the Parties. Finally, the representative reiterated his request that the President confirm whether credentials need not be submitted at future meetings of the Conference of the Parties.

155. The President urged those with concerns about the procedure to consider proposing amendments to the rules of procedure and the corresponding articles of the Convention for the consideration of the Conference of the Parties. He also noted that the examination of the credentials fell under the purview of the Bureau and suggested therefore that representatives speak to the Bureau members from their regions if they disagreed with the approach taken.

## **E. Technical assistance**

156. The discussion summarized in the present section took place during joint sessions of the fourteenth meeting of the Conference of the Parties to the Basel Convention, the ninth meeting of the Conference of the Parties to the Rotterdam Convention and the ninth meeting of the Conference of the Parties to the Stockholm Convention. Paragraphs 157 to 168 below are replicated in section IV D of the report of the Conference of the Parties to the Basel Convention on the work of its fourteenth meeting (UNEP/CHW.14/28), and section V F of the report of the Conference of the Parties to the Stockholm Convention on the work of its ninth meeting (UNEP/POPS/COP.9/30).

157. Introducing the item, the President said that there were three main topics to be considered: the technical assistance plan prepared by the Secretariat for the delivery of technical assistance under the conventions; regional centres under the Basel and Stockholm conventions; and the implementation of decision V/32 of the Conference of the Parties to the Basel Convention relating to the emergency trust fund.

### **1. Technical assistance**

158. Introducing the sub-item, the representative of the Secretariat outlined the information contained in document UNEP/CHW.14/16–UNEP/FAO/RC/COP.9/15–UNEP/POPS/COP.9/16, on technical assistance and capacity-building for the implementation of the Basel, Rotterdam and Stockholm conventions, which set out information on activities undertaken under the four-year technical assistance plan for the period 2018–2021, and document UNEP/CHW.14/INF/25/Rev.1–UNEP/FAO/RC/COP.9/INF/24/Rev.1–UNEP/POPS/COP.9/INF/25/Rev.1, which set out further information on the implementation of the plan. A draft monitoring and evaluation strategy prepared by the Secretariat for consideration by the conferences of the Parties was set out in document UNEP/CHW.14/INF/27–UNEP/FAO/RC/COP.9/INF/26–UNEP/POPS/COP.9/INF/26.

159. A number of representatives expressed appreciation for the efforts of the Secretariat, donor countries, the regional centres and relevant partners in providing technical assistance and capacity-building to developing countries and countries with economies in transition to implement their obligations under the three conventions, with several providing specific examples of the assistance they had received. One representative said that adequate provision of technical assistance was an essential element of any discussion regarding the establishment of a compliance mechanism. Another representative stressed the importance of training in laboratory and analytical techniques to increase the capacity of countries to deal with harmful chemicals, including the growing number of regulated persistent organic pollutants. One representative highlighted the need for further technical assistance for the management of hazardous wastes generated during ship dismantling.

160. One representative, speaking on behalf of a group of countries, welcomed the projects undertaken in implementing the technical assistance plan, but expressed concern that some of the Secretariat's activities had not been discussed by the conferences of the Parties or agreed upon in decisions on technical assistance, and that a monitoring and evaluation strategy for the technical assistance plan had been prepared by the Secretariat without it having a mandate to perform that task. In addition, use should be made of the database developed by the Secretariat containing past and present information on technical assistance. Another representative said that the monitoring and evaluation strategy would be an effective tool for supporting the attainment of the goals of the technical assistance plan.

161. Several representatives said that there was still a need for increased mobilization of financial and technical assistance to strengthen national capabilities for the sound management of chemicals and waste. One representative said that such assistance should be rendered in accordance with the stipulations of the conventions, including paragraph 4 of Article 12 of the Stockholm Convention and Articles 14 and 16 of the Basel Convention. One representative highlighted the challenges faced in directing assistance to countries suffering from instability or conflict.

## 2. Regional centres

162. Introducing the sub-item, the representative of the Secretariat said that documents UNEP/CHW.14/17 and UNEP/POPS/COP.9/17 set out information on the regional centres of the Basel and Stockholm conventions. Further information pertaining to the activities of the centres was set out in document UNEP/CHW.14/INF/29–UNEP/POPS/COP.9/INF/28 and its addendum, and a draft performance evaluation of all the regional centres of the Basel and Stockholm conventions was contained in document UNEP/CHW.14/INF/28/Rev.1–UNEP/POPS/COP.9/INF/27/Rev.1.

163. A number of representatives, including one speaking on behalf of a group of countries, stressed the important role of the regional centres of the Basel and Stockholm conventions in providing developing countries and those with economies in transition with technical assistance and capacity-building. Some representatives also referred to the role of regional centres in facilitating information exchange. Several representatives expressed their commitment to supporting the work of the regional centres they hosted in their own countries. The representative of Panama thanked the countries of Latin America and the Caribbean for supporting their offer to host the regional centre for the Central America and Mexico region. A number of representatives said that greater efforts should be made to ensure that regional centres were provided with the necessary financial and technical support to enable them to fulfil their mandates.

164. One representative, speaking on behalf of a group of countries, noted that some centres had not addressed their own work plans as expected, and encouraged them, as well as the host Parties and other Parties in the region, to address the existing shortcomings. A number of representatives pointed out that one centre had recently been unable to provide sufficient support to Parties and needed to be strengthened. One representative requested that regional and subregional centres consider the management of newly added persistent organic pollutants, particularly those in products and articles, when developing their business plans to support Parties in meeting their obligations under the Stockholm Convention.

165. Several representatives highlighted the valuable role that regional centres could play in helping countries to address the growing threat of plastic waste, marine plastic litter and microplastics, with particular merit being attached to the work of the Stockholm Convention regional centre in Barcelona, Spain, in promoting dialogue on the matter. Some representatives said that while there was a strong current focus on marine litter, due attention needed to be given to regulating the land-based sources of plastic waste and microplastics.

## 3. Implementation of Basel Convention decision V/32

166. Introducing the sub-item, the representative of the Secretariat said that information on the status of the Trust Fund to Assist Developing and Other Countries in Need of Technical Assistance in the Implementation of the Basel Convention was contained in document UNEP/CHW.14/INF/56, while information on the implementation of technical assistance activities was provided in document UNEP/CHW.14/INF/25/Rev.1–UNEP/FAO/RC/COP.9/INF/24/Rev.1–UNEP/POPS/COP.9/INF/25/Rev.1. In addition, information on cooperation with the Joint United Nations Environment Programme/Office for the Coordination of Humanitarian Affairs Environment Unit was provided in document UNEP/CHW.14/INF/36–UNEP/FAO/RC/COP.9/INF/29–UNEP/POPS/COP.9/INF/38.

167. The Conference of the Parties to the Basel Convention took note of the information provided.

## 4. Establishment of a contact group

168. Following the discussions under the item, the conferences of the Parties established a joint contact group on technical assistance and financial resources, co-chaired by Mr. Reginald Hernaus (the Netherlands) and Mr. David Kapindula (Zambia). The group was mandated to prepare for the consideration of the conferences of the Parties draft decisions on technical assistance using the draft decision in document UNEP/CHW.14/16–UNEP/FAO/RC/COP.9/15–UNEP/POPS/COP.9/16 as a starting point, taking into account discussions in plenary; and on the Basel and Stockholm convention regional centres using the draft decisions in documents UNEP/CHW.14/17 (with the exception of paragraph 9) and UNEP/POPS/COP.9/17 as starting points and taking into account discussions in plenary. The draft decision for the agenda item would be in omnibus form, with section I on technical assistance (for the Basel, Rotterdam and Stockholm conventions) and section II on regional centres (for the Basel and Stockholm conventions).

## 5. Adoption of decision

169. Subsequently, the Conference of the Parties to the Rotterdam Convention adopted a draft decision submitted by the joint contact group on technical assistance and financial resources. Decision RC-9/8, on technical assistance, as adopted by the Conference of the Parties, is set out in the annex to the present report.

170. In addition, the conferences of the Parties to the Basel and Stockholm conventions adopted decisions on technical assistance, the first sections of which were substantially identical to the decision adopted by the Conference of the Parties to the Rotterdam Convention. Decisions BC-14/18 and SC-9/14, as adopted by the conferences of the Parties to the Basel and Stockholm conventions, respectively, are set out in the annex to the report of the Conference of the Parties to the Basel Convention on the work of its fourteenth meeting (UNEP/CHW.14/28) and in the annex to the report of the Stockholm Convention on the work of its ninth meeting (UNEP/POPS/COP.9/30), respectively.

## F. Financial resources<sup>1</sup>

### Integrated approach and the Special Programme

171. The discussion summarized in the present sub-section took place during joint sessions of the fourteenth meeting of the Conference of the Parties to the Basel Convention, the ninth meeting of the Conference of the Parties to the Rotterdam Convention and the ninth meeting of the Conference of the Parties to the Stockholm Convention. Paragraphs 172 to 178 below are replicated in section IV F of the report of the Conference of the Parties to the Basel Convention on the work of its fourteenth meeting (UNEP/CHW.14/28) and section V G of the report of the Conference of the Parties to the Stockholm Convention on the work of its ninth meeting (UNEP/POPS/COP.9/30).

172. Introducing the sub-item, the representative of the Secretariat said that, in accordance with decisions BC-12/18, RC-7/8 and SC-7/22 on the implementation of the integrated approach to financing sound management of chemicals and waste, the Secretariat had continued to take the integrated approach as a reference in its mandated activities and its support for the Parties to the three conventions. It had also continued to participate in the internal task team of the Special Programme and had attended as an observer all the meetings of the Programme's Executive Board. A report on the implementation of the above-mentioned decisions was contained in document UNEP/CHW.14/INF/34–UNEP/FAO/RC/COP.9/INF/27–UNEP/POPS/COP.9/INF /33.

173. The representative of UNEP reported on the activities of the Special Programme, outlining the information set out in document UNEP/CHW.14/INF/35–UNEP/FAO/RC/COP.9/INF/28–UNEP/POPS/COP.9/INF/34.

174. In the ensuing discussion, numerous representatives, including a number speaking on behalf of groups of countries, and many from countries benefiting from Special Programme projects, praised the work of the Special Programme and the efforts to mobilize resources for promoting implementation of the conventions.

175. A number of representatives emphasized the importance of continuing the integrated approach, including several speaking on behalf of groups of countries, one of whom also underscored the need to advance further in mainstreaming in national budgets, development plans and sector policies and in fostering the involvement of industry and the private sector throughout the value chain by way of, inter alia, clear legislative and regulatory frameworks that took into account extended producer responsibility and the polluter pays principle. Concerning dedicated external finance, the provision of assistance through multilateral, bilateral and regional mechanisms had achieved welcome progress and should be continued.

176. In supporting those views, other representatives, including one speaking on behalf of a group of countries, agreed that sustainable, predictable, adequate and accessible long-term funding was crucial, together with technical assistance, to the sound management of chemicals and waste. One representative endorsed the position of another that such funding must furthermore be allocated on an equitable, non-discriminatory and non-political basis. Others said that industry should be more actively involved in project financing and one said that the allocation of funding should be subject to monitoring to ensure that it was meaningful and would achieve the intended objectives.

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<sup>1</sup> The sub-item was taken up during a joint session of the conferences of the Parties to the Basel, Rotterdam and Stockholm conventions. The discussion on the Global Environment Facility relevant to the Stockholm Convention under this sub-item is contained in section V G 1 of the report of the ninth meeting of the Conference of the Parties to the Stockholm Convention (UNEP/POPS/COP.9/30).

177. One representative suggested that some aspects of the Programme's project application guidelines should be reviewed in order to prevent the rejection of applications for administrative reasons alone. Another requested further capacity-building assistance that would promote successful project applications, with yet another agreeing that the application process was too complex and should be simplified.

178. The Conference of the Parties took note of the information provided.

## **VI. Enhancing cooperation and coordination among the Basel, Rotterdam and Stockholm conventions (agenda item 6)**

179. The discussion summarized in the present section took place during joint sessions of the fourteenth meeting of the Conference of the Parties to the Basel Convention, the ninth meeting of the Conference of the Parties to the Rotterdam Convention and the ninth meeting of the Conference of the Parties to the Stockholm Convention. The present section VI is substantially identical to section V of the report of the Conference of the Parties to the Basel Convention on the work of its fourteenth meeting (UNEP/CHW.14/28), and section VI of the report of the Conference of the Parties to the Stockholm Convention on the work of its ninth meeting (UNEP/POPS/COP.9/30).

### **A. International cooperation and coordination**

180. The representative of the Secretariat introduced document UNEP/CHW.14/20–UNEP/FAO/RC/COP.9/16–UNEP/POPS/COP.9/23, which described international cooperation and coordination activities undertaken by the Secretariat in response to decisions BC-13/16, RC-8/10 and SC-8/20 and included a draft decision on the matter. She also drew attention to a number of related information documents.

181. In the ensuing discussion, representatives thanked the Secretariat and the other international organizations for the reports and for their efforts to enhance international cooperation and coordination, which were crucial for achieving sound chemicals and waste management and the objectives of the three conventions, and for avoiding duplication of effort and using resources efficiently.

182. The representative of the European Union and its member States introduced a conference room paper on cooperation between the joint Secretariat of the Basel, Rotterdam and Stockholm Conventions and the secretariat of the Minamata Convention. Another representative expressed support for the conference room paper and lamented the fact that the operative proposal by the Executive Director of UNEP for a stable framework for sharing of relevant secretariat services, requested by decision MC-2/7, on cooperation between the secretariat of the Minamata Convention and the Secretariat of the Basel, Rotterdam and Stockholm Conventions, adopted by the Conference of the Parties to the Minamata Convention at its second meeting, had not yet been finalized and had therefore not been presented for consideration at the current meetings.

183. Several representatives expressed support for the invitation set out in the draft decision to the participating organizations of the Inter-Organization Programme for the Sound Management of Chemicals (IOMC) to consider inviting the Basel, Rotterdam and Stockholm conventions to become participating organizations of IOMC.

184. A number of representatives suggested that international cooperation should prioritize capacity-building, technical assistance and financial support to help developing-country Parties to implement the three conventions, with one emphasizing that such cooperation should adhere to the principles of non-politicization, non-discrimination and impartiality, and should include closer collaboration with the United Nations Development Programme. Another said that efforts should be made to broaden cooperation with regional organizations to enhance the political visibility of, and support for, the sound management of chemicals and waste.

185. One representative drew attention to the work being carried out by the intersessional process considering the Strategic Approach and the sound management of chemicals and waste beyond 2020, which had identified the need to achieve greater coherence, communication and coordination between the international organizations working on chemicals and waste issues. He called on the Secretariat, Parties and observers to promote synergies at the national level in order to achieve results at the international level.

186. One representative, speaking on behalf of a group of countries, urged UNEP and the World Health Organization to work closely together in the framework of the partnership on alternatives to DDT in order to help African countries to combat malaria while protecting the environment.

187. Several representatives, including one speaking on behalf of a group of countries, drew attention to some of the findings and conclusions of the second edition of the Global Chemicals Outlook report, including that the 2020 goal of the Strategic Approach would not be met and that the global chemicals industry had almost doubled in size in the period 2000–2017. One representative called for discussions on that issue, while another, speaking on behalf of a group of countries, called on the Parties to join other bodies in urging Governments and all relevant stakeholders to intensify and prioritize efforts to achieve the 2020 goal.

188. One representative, speaking on behalf of a group of countries, requested that at future meetings of the conferences of the Parties the issue of international cooperation and coordination be included as a stand-alone agenda item given that it went beyond enhancing cooperation and coordination between the three conventions.

189. The representative of the secretariat of the Minamata Convention outlined the information presented in document UNEP/CHW.14/INF/38–UNEP/FAO/RC/COP.9/INF/31–UNEP/POPS/COP.9/INF/40, noting that the secretariat of the Minamata Convention cooperated closely with the Secretariat of the Basel, Rotterdam and Stockholm Conventions on a number of programmatic and technical issues. She said that the two secretariats were working with UNEP on the operative proposal for a stable framework for the sharing of relevant secretariat services, which would be submitted for consideration by the Conference of the Parties to the Minamata Convention at its third meeting.

190. The representative of UNEP outlined the information provided in document UNEP/CHW.14/INF/37–UNEP/FAO/RC/COP.9/INF/30–UNEP/POPS/COP.9/INF/39, stressing that the United Nations Environment Assembly attached great importance to the issue of sound chemicals and waste management and had adopted numerous resolutions directly and indirectly related to that issue.

191. The representative of the secretariat of the Strategic Approach to International Chemicals Management outlined the information presented in document UNEP/CHW.14/INF/54–UNEP/FAO/RC/COP.9/INF/44–UNEP/POPS/COP.9/INF/57, noting that the secretariat of the Strategic Approach cooperated actively across the chemicals and waste cluster. He invited the Parties to engage in the Strategic Approach intersessional process to elaborate the future arrangements for the Strategic Approach and the sound management of chemicals and waste beyond 2020.

192. The representative of WHO, speaking on behalf of IOMC, said that the Programme looked forward to further strengthening its collaboration with the Basel, Rotterdam and Stockholm conventions. He explained the process for becoming a participating organization of IOMC and said that the Inter-Organization Coordinating Committee of IOMC had discussed the issue at its fifty-first meeting, held in April 2019, and was working to ensure it was ready to process such a request, should it be made.

193. The United Nations Special Rapporteur on the implications for human rights of the environmentally sound management and disposal of hazardous substances and wastes drew attention to the links between hazardous substances and wastes throughout their life cycles and human rights and urged the Parties to strengthen the ability of the Basel, Rotterdam and Stockholm conventions to protect human beings, in particular children, from chemical pollution. He drew attention to a new General Comment on the right to life of the United Nations Human Rights Committee, which clarified that everyone was entitled to freedom from acts or omissions that might cause premature death, and placed on all States parties to the International Covenant on Civil and Political Rights a duty to protect the human right to a life free from pollution.

194. Following the discussion, the conferences of the Parties established a joint contact group on joint issues, co-chaired by Ms. Elizabeth Kay Williams (United Kingdom of Great Britain and Northern Ireland) and Ms. Angela Rivera (Colombia), to prepare a revised draft decision on international cooperation and coordination, based on document UNEP/CHW.14/20–UNEP/FAO/RC/COP.9/16–UNEP/POPS/COP.9/23, taking into account the discussion in plenary.

195. Subsequently, the Conference of the Parties to the Rotterdam Convention adopted a revised version of the draft decision prepared by the joint contact group on joint issues.

196. Decision RC-9/9, on international cooperation and coordination, as adopted by the Conference of the Parties, is set out in the annex to the present report.

197. In addition, the conferences of the Parties to the Basel and Stockholm conventions adopted decisions on international cooperation and coordination that were substantially identical to the decision adopted by the Conference of the Parties to the Rotterdam Convention. Decisions BC-14/21

and SC-9/19, as adopted by the conferences of the Parties to the Basel and Stockholm conventions, respectively, are set out in the annex to the report of the Conference of the Parties to the Basel Convention on the work of its fourteenth meeting (UNEP/CHW.14/28) and in the annex to the report of the Conference of the Parties to the Stockholm Convention on the work of its ninth meeting (UNEP/POPS/COP.9/30), respectively.

198. The Conference of the Parties further agreed to adopt the draft decision set out in the conference room paper submitted by the European Union and its member States. Decision RC-9/10, on cooperation between the joint Secretariat of the Basel, Rotterdam and Stockholm Conventions and the secretariat of the Minamata Convention, as adopted by the Conference of the Parties, is set out in the annex to the present report.

199. In addition, the conferences of the Parties to the Basel and Stockholm conventions adopted decisions on cooperation between the joint Secretariat of the Basel, Rotterdam and Stockholm Conventions and the secretariat of the Minamata Convention that were substantially identical to the decision adopted by the Conference of the Parties to the Rotterdam Convention. Decisions BC-14/22 and SC-9/20, as adopted by the conferences of the Parties to the Basel and Stockholm conventions, respectively, are set out in the annex to the report of the Conference of the Parties to the Basel Convention on the work of its fourteenth meeting (UNEP/CHW.14/28) and in the annex to the report of the Conference of the Parties to the Stockholm Convention on the work of its ninth meeting (UNEP/POPS/COP.9/30), respectively.

200. Subsequently, the representative of Burkina Faso introduced a conference room paper, initially submitted by the Congo, on the establishment of a strong organic and programmatic collaboration between the secretariat of the Bamako Convention on the Ban of the Import into Africa and the Control of Transboundary Movement and Management of Hazardous Wastes within Africa and the Secretariat of the Basel, Rotterdam and Stockholm Conventions.

201. In the ensuing discussion, many representatives, from the African region in particular, expressed strong support for the establishment of such collaboration, saying that it would promote synergies among the four conventions and foster the achievement of their common objectives. Some representatives, however, including one speaking on behalf of a group of countries, expressed the view that some elements of the proposal, among them its budgetary implications, required further consideration. One representative, speaking on behalf of a group of countries, and emphasizing that the Conference of the Parties at its present meeting must send a clear message concerning the illegal traffic and trade in hazardous chemicals and wastes affecting the African region, said that his group stood ready to engage in informal consultations with the aim of resolving the concerns of any Party in respect of the proposal. The Conference of the Parties agreed to resume its consideration of the proposal following the conclusion of informal consultations on the matter.

202. Subsequently, the representative of Burkina Faso submitted a revised version of the conference room paper, noting that the informal consultations had not led to consensus on the text.

203. All the representatives who had taken part in the informal consultations said that they had been constructive and informative and had served to improve their understanding of the Bamako Convention. One representative, speaking on behalf of a group of countries, highlighted that cooperation and coordination with all relevant international and regional bodies and organizations dealing with the sound management of chemicals and waste was already included in the mandate of the Secretariat and that a capacity-building project which was already under way under the Basel and Rotterdam conventions would serve to enhance cooperation and coordination with the secretariat of the Bamako Convention. Another representative expressed her support for the further strengthening of cooperation and coordination with that secretariat. Yet another said that, although he was unable to support the relevant conference room paper, it was not his intention to undermine the work of the Bamako Convention and he would willingly engage in further discussions on the matter in the future.

204. Given the lack of agreement on adopting the decision set out in the conference paper, the conferences of the Parties agreed to conclude their consideration of the matter.

## **B. Clearing house mechanism for information exchange**

205. Introducing the sub-item, the representative of the Secretariat recalled that, at their meetings in 2017, the conferences of the Parties had welcomed the proposed joint clearing house mechanism strategy and a draft workplan for the implementation of the mechanism for the biennium 2018–2019. The progress made by the Secretariat in that respect was outlined in document UNEP/CHW.14/21–UNEP/FAO/RC/COP.9/17–UNEP/POPS/COP.9/24. New activities for the provision of access to thematic information had been made possible thanks to generous financial support provided by the

European Union and Norway. The Secretariat had also prepared a workplan for the mechanism for the biennium 2020–2021 (UNEP/CHW.14/INF/39–UNEP/FAO/RC/COP.9/INF/32–UNEP/POPS/COP.9/INF/41).

206. One representative, speaking on behalf of a group of countries, although supportive of the clearing house mechanism, highlighted the need to find the right balance between the resources devoted to it, the level of ambition for the mechanism and the scope of the activities envisaged for its implementation. She said that the decisions adopted by the conferences of the Parties at their 2017 meetings remained valid and, as such, any subsequent decision should refer only to new elements. She stressed the importance of proceeding to implementation of the strategy in a gradual and cost-effective manner.

207. Subsequently the conferences of the Parties adopted the draft decision contained in document UNEP/CHW.14/21–UNEP/FAO/RC/COP.9/17–UNEP/POPS/COP.9/24. Following the discussions of the contact group on budget matters, the Conference of the Parties agreed to amend the draft decision to specify the activities to be funded through core resources and those to be funded through voluntary contributions.

208. Decision RC-9/11, on the clearing house mechanism for information exchange, as adopted by the Conference of the Parties, is set out in the annex to the present report.

209. In addition, the conferences of the Parties to the Basel and Stockholm conventions adopted decisions on the clearing house mechanism for information exchange that were substantially identical to the decision adopted by the Conference of the Parties to the Rotterdam Convention. Decisions BC-14/23 and SC-9/21, as adopted by the conferences of the Parties to the Basel and Stockholm conventions, respectively, are set out in the annex to the report of the Conference of the Parties to the Basel Convention on the work of its fourteenth meeting (UNEP/CHW.14/28) and in the annex to the report of the Conference of the Parties to the Stockholm Convention on the work of its ninth meeting (UNEP/POPS/COP.9/30), respectively.

### **C. Mainstreaming gender**

210. Introducing the sub-item, the representative of the Secretariat said that, as requested in decisions BC-13/20, RC-8/13 and SC-8/23, on gender mainstreaming, the Secretariat had continued its efforts to implement the Gender Action Plan of the Secretariat of the Basel, Rotterdam and Stockholm Conventions and to mainstream gender in its activities, projects and programmes. Document UNEP/CHW.14/22–UNEP/FAO/RC/COP.9/18–UNEP/POPS/COP.9/25 set out information concerning those efforts, which encompassed further activities made possible thanks to a generous financial contribution from the Government of Sweden. Documents UNEP/CHW.14/INF/55–UNEP/FAO/RC/COP.9/INF/45–UNEP/POPS/COP.9/INF/58 also provided additional details on gender-related activities implemented by the Secretariat and included the Gender Action Plan, which had been updated to incorporate indicators for monitoring progress.

211. In the ensuing discussion, many representatives underscored the importance of gender mainstreaming in the work of the conventions, expressing strong support for the continuation of the Secretariat's gender-related activities and welcoming the updated Gender Action Plan. One representative, speaking on behalf of a group of countries, encouraged all Parties and other stakeholders to participate and engage in mainstreaming gender in the implementation of the conventions, noting that gender equality at all levels would spur progress towards the attainment of the Sustainable Development Goals. Others stressed the importance of empowering women and girls as decision makers and agents of change.

212. Numerous representatives highlighted the disproportionate impact of hazardous chemicals and wastes on vulnerable groups, in particular women and children, with one emphasizing the need to focus also on persons with disabilities. Another said that the consideration of that impact in the development of business initiatives would enable countries to improve their ranking in the vulnerability index. One representative suggested that national and regional case studies should be conducted in order to identify the different impacts of hazardous chemicals and waste both on women and on men.

213. A representative speaking on behalf of a group of countries highlighted entrenched cultural norms as a barrier to gender equality in his region, where technical assistance for gender mainstreaming at the national level was therefore essential in connection with activities relating to the implementation of the conventions. Another representative likewise mentioned his country's need for such assistance to ensure that gender issues were taken into account in the management of hazardous chemicals and waste, while others commented on the usefulness of capacity-building assistance

already received. Some representatives also shared information concerning gender-related activities, policies and programmes in their own countries.

214. Following the discussion, the conferences of the Parties took note of the updated Gender Action Plan and requested the Secretariat to report on its implementation to the conferences of the Parties at their meetings in 2021.

#### **D. Synergies in preventing and combating illegal traffic and trade in hazardous chemicals and wastes**

215. Introducing the sub-item, the representative of the Secretariat drew attention to a note by the Secretariat on synergies in preventing and combating illegal traffic and trade in hazardous chemicals and wastes (including a draft decision) (UNEP/CHW.14/23–UNEP/FAO/RC/COP.9/19–UNEP/POPS/COP.9/26). In addition, information collected from Parties and stakeholders on synergies in preventing and combating illegal traffic and trade in hazardous chemicals and wastes was set out in document UNEP/CHW.14/INF/42–UNEP/FAO/RC/COP.9/INF/33–UNEP/POPS/COP.9/INF/42, and a report on further areas in which legal clarity could be improved as a means of preventing and combating illegal traffic and trade in hazardous chemicals and wastes was set out in document UNEP/CHW.14/INF/41–UNEP/FAO/RC/COP.9/INF/34–UNEP/POPS/COP.9/INF/43.

216. Many representatives expressed appreciation for the efforts of the Secretariat to promote synergies in preventing and combating illegal traffic and trade in hazardous chemicals and wastes. The importance of a cooperative, collaborative approach was underscored, both between the Basel, Rotterdam and Stockholm conventions, and with other relevant bodies such as the Montreal Protocol on Substances that Deplete the Ozone Layer. One representative said that the diverse nature of illegal traffic and trade required the involvement of a wide variety of partners. Another, speaking on behalf of a group of countries, said that it was important to ensure that the work was cost-effective, building on previous decisions and work under each of the conventions, and complementing rather than repeating existing mandates.

217. A number of representatives, including one speaking on behalf of a group of countries, spoke of the need to build the capacity of developing countries and those with economies in transition to combat illegal traffic and trade, including through financial assistance, technology transfer and technical support, and training and capacity-building of customs officers. Some representatives highlighted the role of the Basel Convention and Stockholm Convention regional centres in harmonizing action at the regional and subregional levels, promoting regulatory measures, and building capacity in identifying hazardous materials.

218. A representative of a developing country, supported by others, said that significant quantities of plastic waste had been illegally shipped in containers to his country from certain developed countries, and he called on those countries to fulfil their international environmental commitments.

219. The conferences of the Parties agreed to refer further discussion of the matter to the joint contact group on joint issues, with a mandate that the group prepare a revised draft decision based on the proposed action set out in document UNEP/CHW.14/23–UNEP/FAO/RC/COP.9/19–UNEP/POPS/COP.9/26, taking into account the discussion in plenary.

220. Subsequently, the Conference of the Parties to the Rotterdam Convention adopted a revised version of the draft decision prepared by the joint contact group on joint issues.

221. Decision RC-9/12, on synergies in preventing and combating illegal traffic and trade in hazardous chemicals and wastes, as adopted by the Conference of the Parties, is set out in the annex to the present report.

222. In addition, the conferences of the Parties to the Basel and Stockholm conventions adopted decisions on synergies in preventing and combating illegal traffic and trade in hazardous chemicals and wastes that were substantially identical to the decision adopted by the Conference of the Parties to the Rotterdam Convention. Decisions BC-14/24 and SC-9/22, as adopted by the conferences of the Parties to the Basel and Stockholm conventions, respectively, are set out in the annex to the report of the Conference of the Parties to the Basel Convention on the work of its fourteenth meeting (UNEP/CHW.14/28) and in the annex to the report of the Stockholm Convention on the work of its ninth meeting (UNEP/POPS/COP.9/30), respectively.

#### **E. From science to action**

223. The representative of the Secretariat introduced document UNEP/CHW.14/24–UNEP/FAO/RC/COP.9/20–UNEP/POPS/COP.9/27, which presented background information on the

preparation and revision of a road map for further engaging Parties and other stakeholders in an informed dialogue for enhanced science-based action in the implementation of the conventions, as well as a draft decision on the matter. The revised road map was set out in document UNEP/CHW.14/INF/40–UNEP/FAO/RC/COP.9/INF/35–UNEP/POPS/COP.9/INF/44.

224. Following the presentation, several representatives, including a number speaking on behalf of groups of countries, expressed support for the revised version of the draft road map and for its implementation as called for in the draft decision. A number of representatives underscored the need for continued cooperation and coordination between UNEP, the Basel, Rotterdam and Stockholm conventions and other relevant bodies to strengthen the science-policy interface, and others, including one speaking on behalf of a group of countries, highlighted the importance of capacity-building and training activities to support Parties in taking science-based action to implement the conventions. One called for improved relations with the scientific community and academia at the national, regional and international levels to support decision-making, particularly within the framework of the chemicals conventions.

225. One representative, speaking on behalf of a group of countries, while generally supporting the draft decision, suggested several changes to the text. Another, also speaking on behalf of a group of countries, asked for time to consult on those changes.

226. The conferences of the Parties agreed to refer the matter to the joint contact group on joint issues to establish the final wording of the proposed changes to the text of the draft decision.

227. Subsequently, the President drew attention to a revised draft decision prepared by the contact group on joint issues. One representative proposed an additional paragraph to be included in the draft decision. The Conference of the Parties to the Rotterdam Convention adopted the revised draft decision, as orally amended.

228. Decision RC-9/13, entitled “From science to action”, as adopted by the Conference of the Parties, is set out in the annex to the present report.

229. In addition, the conferences of the Parties to the Basel and Stockholm conventions adopted decisions entitled “From science to action” that were substantially identical to the decision adopted by the Conference of the Parties to the Rotterdam Convention. Decisions BC-14/25 and SC-9/23, as adopted by the conferences of the Parties to the Basel and Stockholm conventions, respectively, are set out in the annex to the report of the Conference of the Parties to the Basel Convention on the work of its fourteenth meeting (UNEP/CHW.14/28) and in the annex to the report of the Stockholm Convention on the work of its ninth meeting (UNEP/POPS/COP.9/30), respectively.

## **VII. Programme of work and budget (agenda item 7)**

230. The discussion summarized in the present section took place during joint sessions of the fourteenth meeting of the Conference of the Parties to the Basel Convention, the ninth meeting of the Conference of the Parties to the Rotterdam Convention and the ninth meeting of the Conference of the Parties to the Stockholm Convention. Paragraphs 231 to 237 below are replicated in section VI of the report of the Conference of the Parties to the Basel Convention on the work of its fourteenth meeting (UNEP/CHW.14/28), and section VII of the report of the Conference of the Parties to the Stockholm Convention on the work of its ninth meeting (UNEP/POPS/COP.9/30).

231. Introducing the item, the Executive Secretary of the Basel, Rotterdam and Stockholm conventions drew attention to voluntary contributions, which were on an increasing trend and had risen substantially during the biennium 2018–2019, as more fully described in document UNEP/CHW.14/INF/46–UNEP/FAO/RC/COP.9/INF/39–UNEP/POPS/COP.9/INF/48 on contributions to the technical cooperation and voluntary special trust funds of the Basel, Rotterdam and Stockholm conventions. He also spoke about the success of measures taken to reduce arrears but indicated that more work needed to be done.

232. Continuing the introduction, the representative of the Secretariat presented an overview of the proposed programmes of work and budgets for the biennium 2020–2021, including the main budget proposal and draft decisions in document UNEP/CHW.14/25–UNEP/FAO/RC/COP.9/21–UNEP/POPS/COP.9/28, the budget tables reflecting the executive secretaries’ scenario and the zero nominal growth scenario in document UNEP/CHW.14/INF/43/Rev.1–UNEP/FAO/RC/COP.9/INF/36/Rev.1–UNEP/POPS/COP.9/INF/45/Rev.1, and the budget activities fact sheets with detailed information on programmes of work activities, set out in document UNEP/CHW.14/INF/44–UNEP/FAO/RC/COP.9/INF/37–UNEP/POPS/COP.9/INF/46.

233. A second representative of the Secretariat then drew attention to documents UNEP/CHW.14/INF/45/Rev.1, UNEP/FAO/RC/COP.9/INF/38/Rev.1 and UNEP/POPS/COP.9/INF/47/Rev.1, containing information on income and expenditures for the general and special voluntary Basel, Rotterdam and Stockholm trust funds for the bienniums 2016–2017 and 2018–2019, including details on voluntary contributions to the special and technical cooperation trust funds and on the FAO contribution to the Rotterdam Convention Secretariat.

234. In the ensuing discussion, all those who spoke expressed a desire to pursue the discussion in a contact group, with some citing issues about which they intended to seek clarification or additional information, including with respect to the services and support provided to the secretariat of the Minamata Convention. Several representatives expressed support for the executive secretaries' scenario, but others said that they were not in a position to increase their financial contributions to the conventions and therefore preferred the zero nominal growth scenario. A number of representatives speaking on behalf of groups of countries, while not expressing a preference for either scenario, recognized the link between the budget and implementation, with one voicing her desire to agree on a budget that was resource-efficient, well-targeted, balanced and affordable for all.

235. Several representatives, including one speaking on behalf of a group of countries, acknowledged the reduction achieved in arrears but noted that the level of arrears was still a concern, and one urged Parties to pay their assessed contributions as soon as possible.

236. The conferences of the Parties established a joint contact group on budget matters for the three conventions, co-chaired by Mr. Linroy Christian (Antigua and Barbuda) and Mr. Premysl Stepanek (Czechia). The group was asked to prepare for consideration and separate adoption by the conferences of the Parties draft programmes of work and budgets for the biennium 2020–2021 and related draft decisions, based on the draft texts set out in document UNEP/CHW.14/25–UNEP/FAO/RC/COP.9/21–UNEP/POPS/COP.9/28, taking into account the discussion in plenary.

237. The conferences of the Parties also agreed to discuss issues related to cooperation with the Minamata Convention under the item on enhancing cooperation and coordination among the Basel, Rotterdam and Stockholm conventions.

238. Subsequently, the Conference of the Parties to the Rotterdam Convention adopted a draft decision prepared by the contact group on budget matters.

239. Decision RC-9/17, on the programme of work and budget for the Rotterdam Convention for the biennium 2020–2021, as adopted by the Conference of the Parties, is set out in the annex to the present report.

240. In addition, the conferences of the Parties to the Basel and Stockholm conventions adopted decisions on the programmes of work and budgets for those conventions for the biennium 2020–2021. Decisions BC-14/29 and SC-9/27, as adopted by the conferences of the Parties to the Basel and Stockholm conventions, respectively, are set out in the annex to the report of the Conference of the Parties to the Basel Convention on the work of its fourteenth meeting (UNEP/CHW.14/28) and in the annex to the report of the Stockholm Convention on the work of its ninth meeting (UNEP/POPS/COP.9/30), respectively.

## **VIII. Memorandum of understanding between the Food and Agriculture Organization of the United Nations, the United Nations Environment Programme and the Conference of the Parties to the Rotterdam Convention (agenda item 8)**

241. The discussion summarized in the present section took place during joint sessions of the fourteenth meeting of the Conference of the Parties to the Basel Convention, the ninth meeting of the Conference of the Parties to the Rotterdam Convention and the ninth meeting of the Conference of the Parties to the Stockholm Convention. Paragraphs 242 to 245 below are replicated in section VII of the report of the Conference of the Parties to the Basel Convention on the work of its fourteenth meeting (UNEP/CHW.14/28), and section VIII of the report of the Conference of the Parties to the Stockholm Convention on the work of its ninth meeting (UNEP/POPS/COP.9/30).

242. The representative of the Secretariat introduced the documents relating to the item, which included draft decisions on the adoption of convention-specific memorandums of understanding between the Conference of the Parties and UNEP for the Basel Convention (UNEP/CHW.14/26/Rev.1) and the Stockholm Convention (UNEP/POPS/COP.9/29/Rev.1) and

between the Conference of the Parties, UNEP and FAO for the Rotterdam Convention (UNEP/FAO/RC/COP.9/22/Rev.1).

243. Ms. Elizabeth Maruma Mrema, Director of the Law Division of UNEP, explained the basic principles underlying the draft memorandums of understanding and some of the proposed modalities. Ms. Eve Fontaine Benedetti, Legal Officer, FAO, outlined the specific issues relating to the memorandum of understanding between UNEP, FAO and the Conference of the Parties to the Rotterdam Convention.

244. A number of representatives speaking on behalf of groups of countries expressed support for the adoption of the proposed decisions and the signature of the memorandums of understanding.

245. The conferences of the Parties to the Basel, Rotterdam and Stockholm conventions adopted decisions on draft memorandums of understanding with UNEP and, in the case of the Rotterdam Convention, also with FAO.

246. Decision RC-9/14, on the memorandum of understanding between FAO, UNEP and the Conference of the Parties to the Rotterdam Convention, as adopted by the Conference of the Parties, is set out in the annex to the present report.

247. In addition, the conferences of the Parties to the Basel and Stockholm conventions adopted decisions on memorandums of understanding between UNEP and those conventions. Decisions BC-14/26 and SC-9/24, as adopted by the conferences of the Parties to the Basel and Stockholm conventions, respectively, are set out in the annex to the report of the Conference of the Parties to the Basel Convention on the work of its fourteenth meeting (UNEP/CHW.14/28) and in the annex to the report of the Stockholm Convention on the work of its ninth meeting (UNEP/POPS/COP.9/30), respectively.

## **IX. Venue and date of the tenth meeting of the Conference of the Parties (agenda item 9)**

248. The discussion summarized in the present section took place during joint sessions of the fourteenth meeting of the Conference of the Parties to the Basel Convention, the ninth meeting of the Conference of the Parties to the Rotterdam Convention and the ninth meeting of the Conference of the Parties to the Stockholm Convention. Paragraphs 249 to 252 below are replicated in section VIII of the report of the Conference of the Parties to the Basel Convention on the work of its fourteenth meeting (UNEP/CHW.14/28), and section IX of the report of the Conference of the Parties to the Stockholm Convention on the work of its ninth meeting (UNEP/POPS/COP.9/30).

249. Introducing the item, the representative of the Secretariat recalled that the rules of procedure of the three conferences of the Parties provided for their meetings to take place at the seat of the Secretariat unless other appropriate arrangements were made. In addition, the conferences of the Parties had decided in 2017 not to include a high-level segment in their 2019 meetings and that such segments would occur only at every second set of meetings of the conferences of the Parties, meaning that the next high-level segment would take place during the 2021 meetings. He outlined the information in document UNEP/CHW.14/INF/57–UNEP/FAO/RC/COP.9/INF/46–UNEP/POPS/COP.9/INF/60 on the hosting of meetings of the Parties outside the seat of the Secretariat. The information had been brought to the attention of Parties during the regional preparatory meetings, and the Secretariat had subsequently received an offer from the Government of Kenya to host the 2021 meetings at UNEP headquarters in Nairobi.

250. The representative of Kenya made a brief presentation on the offer made by the Government of Kenya, as set out in document UNEP/CHW.14/INF/57/Add.1–UNEP/FAO/RC/COP.9/INF/46/Add.1–UNEP/POPS/COP.9/INF/60/Add.1.

251. Following the presentation, several representatives welcomed the offer of the Government of Kenya. One representative, speaking on behalf of a group of countries, said that she looked forward to receiving the Secretariat's assessment of the costs involved and of the question of the use of United Nations venues for meetings before coming to a decision on the matter. She also called for any decision on the matter to include a clear invitation to Parties to submit offers to host future meetings of the conferences of the Parties that would increase the political and public visibility of the conventions and generate cost savings.

252. The conferences of the Parties agreed to request the Secretariat to prepare a draft decision in which they would accept the offer of the Government of Kenya to hold the meetings in Nairobi in 2021, subject to the conclusion of a host country agreement between the host Government and the Secretariat; decide that the meetings would be held back to back and include a high-level segment;

request the Executive Secretary to organize regional preparatory meetings; and invite Parties to submit offers for hosting the meetings in 2023 by the end of March 2021 so that they could be considered by the conferences of the Parties at their meetings in 2021.

253. Subsequently, the Conference of the Parties to the Rotterdam Convention adopted a draft decision prepared by the Secretariat.

254. Decision RC-9/15, on the dates and venue of the next meetings of the conferences of the Parties to the Basel, Rotterdam and Stockholm conventions, as adopted by the Conference of the Parties, is set out in the annex to the present report.

255. In addition, the conferences of the Parties to the Basel and Stockholm conventions adopted decisions on the dates and venue of the next meetings of the conferences of the Parties to the Basel, Rotterdam and Stockholm conventions that were substantially identical to the decision adopted by the Conference of the Parties to the Rotterdam Convention. Decisions BC-14/27 and SC-9/25, as adopted by the conferences of the Parties to the Basel and Stockholm conventions, respectively, are set out in the annex to the report of the Conference of the Parties to the Basel Convention on the work of its fourteenth meeting (UNEP/CHW.14/28) and in the annex to the report of the Stockholm Convention on the work of its ninth meeting (UNEP/POPS/COP.9/30), respectively.

## **X. Other matters (agenda item 10)**

256. The discussion summarized in the present section took place during joint sessions of the fourteenth meeting of the Conference of the Parties to the Basel Convention, the ninth meeting of the Conference of the Parties to the Rotterdam Convention and the ninth meeting of the Conference of the Parties to the Stockholm Convention. Paragraphs 257 to 260 below are replicated in section IX and paragraphs 261 to 265 are replicated in section IV E 4 of the report of the Conference of the Parties to the Basel Convention on the work of its fourteenth meeting (UNEP/CHW.14/28); paragraphs 257 to 265 below are also replicated in section X of the report of the Conference of the Parties to the Stockholm Convention on the work of its ninth meeting (UNEP/POPS/COP.9/30).

### **A. Admission of observers**

257. Introducing the sub-item, the representative of the Secretariat said that information on bodies or agencies wishing to be represented as observers in the respective meetings of the conferences of the Parties to the Basel, Rotterdam and Stockholm conventions was set out in documents UNEP/CHW.14/INF/58/Rev.1, UNEP/FAO/RC/COP.9/INF/47/Rev.1 and UNEP/POPS/COP.9/INF/50, respectively. She outlined the admission procedures described in those documents and established pursuant to the provisions of each of the respective conventions as well as the related rules of procedure. She said that, following the publication of the documents and in addition to the requests contained therein, the Secretariat had received further requests that it had verified met the relevant criteria in relation to the Basel and Rotterdam conventions.

258. The conferences of the Parties took note of the bodies or agencies making requests for admission as observers to each respective Convention.

### **B. Guidelines on preventing and addressing all forms of harassment at meetings of the Basel, Rotterdam and Stockholm conventions**

259. Introducing the sub-item, the representative of the Secretariat drew attention to document UNEP/CHW.14/INF/47–UNEP/FAO/RC/COP.9/INF/48–UNEP/POPS/COP.9/INF/51, containing guidelines on preventing and addressing all forms of harassment at meetings of the Basel, Rotterdam and Stockholm conventions. She explained that the Secretariat had developed the guidelines in line with the United Nations' zero tolerance policy on all forms of harassment, including sexual harassment, and approaches taken by other secretariats of multilateral environmental agreements, with the goal of ensuring the smooth running of meetings.

260. The conferences of the Parties took note of the guidelines and agreed that the Secretariat should make them available on the websites of the conventions.

### **C. Further developing partnerships**

261. The President, introducing the item, recalled that the programme of work of the Basel Convention envisioned two types of partnerships in support of promoting the objectives of the Convention: global partnerships established by the Conference of the Parties, such as the Household Waste Partnership and the Environmental Network for Optimizing Regulatory Compliance on Illegal

Traffic (ENFORCE), for which the Secretariat had a facilitating role and provided expertise; and partnerships established or intended to be established by the Secretariat with non-State stakeholders to implement activities of its work programme, with an added potential to increase the reach and visibility of the Convention. Those types of partnerships could be of common interest to the three conventions.

262. Continuing the introduction, the representative of the Secretariat drew attention to document UNEP/CHW.14/18, concerning the Basel Convention Partnership Programme and containing a draft decision on proposed actions that could be considered by the conferences of the Parties to all three conventions in the light of the recommendations on opportunities to further develop partnerships under the Basel Convention set out in document UNEP/CHW.14/INF/33, which additionally contained a report on evaluating past and ongoing partnerships. The report had been prepared thanks to a generous financial contribution from the Government of Switzerland and circulated to Parties and observers for comment. It had then been revised to take into account comments received.

263. In the ensuing discussion, a number of representatives expressed support for partnership initiatives as an innovative means of promoting synergies, providing guidance and increasing collaboration with stakeholders on such issues as illegal trade. Joining another representative in highlighting the activities of regional centres on that and other issues, one representative expressed reservations concerning the recommendations on further developing partnerships and said that it would be preferable for a contact group to discuss the matter. Another, while noting the positive results achieved through partnerships under the Basel Convention in facilitating an inclusive work process, said that partnerships also carried the risk of creating competitiveness with respect to core activities. Another representative, speaking on behalf of a group of countries, said that a joint discussion of an issue concerning which there was no joint document should be approached with caution, but expressed a willingness nonetheless to engage with others in the margins of the meeting in order to gain understanding of the issue and determine if and how it might be brought forward for consideration by the Parties at future meetings.

264. One representative suggested that a partnership for action on lead-acid batteries should be established, for which other representatives voiced support, with one of them adding that action was needed on used batteries in general.

265. Following the discussion, the conferences of the Parties agreed to mandate the joint contact group on joint issues to prepare draft decisions based on the proposed action in section IV of the draft decision set out in document UNEP/CHW.14/18 and the recommendations set out in document UNEP/CHW.14/INF/33, taking into account the discussion in plenary.

266. Subsequently, the Conference of the Parties to the Rotterdam Convention adopted a draft decision submitted by the joint contact group on joint issues.

267. Decision RC-9/16, on existing United Nations guidelines on the mobilization of resources from non-State actors, as adopted by the Conference of the Parties, is set out in the annex to the present report.

268. In addition, the conferences of the Parties to the Basel and Stockholm conventions adopted decisions on existing United Nations guidelines on the mobilization of resources from non-State actors, the first sections of which were substantially identical to the decision adopted by the Conference of the Parties to the Rotterdam Convention. Decisions BC-14/28 and SC-9/26, as adopted by the conferences of the Parties to the Basel and Stockholm conventions, respectively, are set out in the annex to the report of the Conference of the Parties to the Basel Convention on the work of its fourteenth meeting (UNEP/CHW.14/28) and in the annex to the report of the Stockholm Convention on the work of its ninth meeting (UNEP/POPS/COP.9/30), respectively.

## **XI. Adoption of the report (agenda item 11)**

269. The Conference of the Parties adopted the draft report on the basis of the draft that had been circulated, as orally amended, on the understanding that the finalization of the report would be entrusted to the Rapporteur, in cooperation with the Secretariat, under the authority of the President of the Conference of the Parties.

## **XII. Closure of the meeting (agenda item 12)**

270. Following the customary exchange of courtesies, the meeting was declared closed at 10.15 p.m. on Friday, 10 May 2019.

## Annex

### **Decisions adopted by the Conference of the Parties at its ninth meeting**

- RC-9/1: Status of implementation of the Convention
- RC-9/2: Operation of the Chemical Review Committee
- RC-9/3: Listing of hexabromocyclododecane in Annex III to the Rotterdam Convention
- RC-9/4: Listing of phorate in Annex III to the Rotterdam Convention
- RC-9/5: Consideration of acetochlor for listing in Annex III to the Rotterdam Convention
- RC-9/6: Enhancing the effectiveness of the Rotterdam Convention
- RC-9/7: Procedures and mechanisms on compliance with the Rotterdam Convention
- RC-9/8: Technical assistance
- RC-9/9: International cooperation and coordination
- RC-9/10: Cooperation between the joint Secretariat of the Basel, Rotterdam and Stockholm conventions and the secretariat of the Minamata Convention
- RC-9/11: Clearing-house mechanism for information exchange
- RC-9/12: Synergies in preventing and combating illegal traffic and trade in hazardous chemicals and wastes
- RC-9/13: From science to action
- RC-9/14: Memorandum of understanding between the Food and Agriculture Organization of the United Nations and the United Nations Environment Programme and the Conference of the Parties to the Rotterdam Convention on the Prior Informed Consent Procedure for Certain Hazardous Chemicals and Pesticides in International Trade
- RC-9/15: Dates and venue of the next meetings of the conferences of the Parties to the Basel, Rotterdam and Stockholm conventions
- RC-9/16: Existing United Nations guidelines on the mobilization of resources from non-State actors
- RC-9/17: Programme of work and budget for the Rotterdam Convention for the biennium 2020-2021

## RC-9/1: Status of implementation of the Convention

### *The Conference of the Parties*

1. *Takes note* of the information provided on the status of implementation of the Rotterdam Convention on the Prior Informed Consent Procedure for Certain Hazardous Chemicals and Pesticides in International Trade;
2. *Encourages* Parties:
  - (a) To adopt, as soon as possible, a national definition for the term “pesticide”, should they not yet have done so, asking the Secretariat for technical assistance should they face challenges in so doing, and reminding Parties of the availability of a definition of that term in the *International Code of Conduct on Pesticide Management*;
  - (b) To communicate the national definition for the term “pesticide” to the Secretariat;
  - (c) To take into account differences among Parties in the definition of the term “pesticide” in their communication with other Parties through export notifications and import responses;
  - (d) To ensure the effective operation of the Rotterdam Convention, in particular Articles 5, 6 and 10, by submitting notifications of final regulatory action, proposals for listing severely hazardous pesticide formulations and import responses for listed chemicals;
  - (e) To use the final regulatory action evaluation toolkit, the toolbox for decision-making in chemicals management of the Inter-Organization Programme for the Sound Management of Chemicals and other relevant tools for national risk evaluation and decision-making, and for the preparation of notifications of final regulatory action;
  - (f) To provide the Secretariat with information that may assist other Parties to prepare and notify final regulatory actions, including:
    - (i) Scientific and technical information relevant to risk evaluation and decision-making on hazardous chemicals and pesticides;
    - (ii) Texts of national legislation and other measures adopted by them to implement and enforce the Convention;
  - (g) To provide information on their implementation of paragraph 2 of Article 11, and Articles 12 and 14 of the Convention by submitting responses to the periodic questionnaire on the implementation of those articles;
3. *Urges* Parties:
  - (a) To ensure the effective implementation of Article 11 of the Rotterdam Convention, which is an important contribution to the fight against the illegal trade in chemicals that are subject to the Convention;
  - (b) To ensure proper implementation of Article 13, in particular the stipulation that a safety data sheet that follows an internationally recognized format be sent to each importer of both chemicals listed in Annex III and chemicals banned or severely restricted in the exporting country’s territory, to be used for occupational purposes, in one or more of the official languages of the importing Party, as far as practicable;
  - (c) To ensure that the shipping document for an individual chemical or group of chemicals listed in Annex III bears the respective Harmonized System customs code when exported whenever a code has been assigned;
4. *Decides* to adjust the composition of the prior informed consent regions for the purpose of implementation of paragraph 5 of Article 5 of the Rotterdam Convention, as set out in the annex to decision RC-1/2, by:
  - (a) Adding the State of Palestine to the Near East prior informed consent region;
  - (b) Adding South Sudan to the Africa prior informed consent region;
5. *Requests* the Secretariat to prepare and maintain a revised list of the composition of the prior informed consent regions, reflecting, as they occur, any changes in the names of Parties, and to make it available on the website of the Rotterdam Convention;
6. *Also requests* the Secretariat to continue to monitor and report to the Conference of the Parties any possible need to change the composition of the prior informed consent regions;

7. *Invites* Parties, non-Parties, industry, civil society and other stakeholders to provide to the Secretariat:

(a) Data on the international trade in chemicals listed or recommended for listing in Annex III to the Rotterdam Convention;

(b) Information on the measurable impact of listing chemicals in Annex III to the Convention;

8. *Requests* the Secretariat:

(a) To continue to collect and make available to Parties and other stakeholders in a user-friendly format the information referred to in paragraphs 2 (f) and 7 of the present decision;

(b) To provide assistance to Parties, subject to the availability of resources, to facilitate the implementation of the Rotterdam Convention, including the submission of import responses;

(c) To provide assistance to Parties, subject to the availability of resources, to facilitate the submission of notifications of final regulatory action and of proposals for the listing of severely hazardous pesticide formulations, including individual assistance to ensure that notifications and proposals meet the information requirements of Annex I or Annex IV, as applicable, to the Convention;

(d) To continue, subject to the availability of resources, to collect and make available to Parties and other stakeholders information on the definition of the term “pesticide” applied by Parties;

(e) To continue, subject to the availability of resources, to implement the provisions of decision RC-7/2 by, inter alia, facilitating the exchange of information and providing assistance to Parties, upon request, in the implementation of paragraph 2 (c) of Article 11, and Articles 12 and 14 of the Convention.

## RC-9/2: Operation of the Chemical Review Committee

### *The Conference of the Parties*

1. *Takes note* of the information provided in the reports of the Chemical Review Committee on the work of its thirteenth and fourteenth meetings;<sup>1</sup>
2. *Recalls* the need for Parties to take into account, when nominating experts, the responsibilities and qualifications, in accordance with the terms of reference of the Chemical Review Committee, and the commitment required of Committee members;
3. *Confirms* the appointments of Mr. Dinesh Runiwal (India) to replace Mr. Manoj Kumar Gangeya and Mr. Simon Hoy (United Kingdom of Great Britain and Northern Ireland) to replace Ms. Johanna Pelthola-Thies as members of the Committee to serve for the remainder of Mr. Gangeya's and Ms. Pelthola-Thies's terms, until 30 April 2020;
4. *Also confirms* the appointments of Mr. Martin Lacroix (Canada) to replace Mr. Jeffery Goodman, Ms. Gloria Judith Venegas Calderón (Ecuador) to replace Ms. Cristina Salgado, Ms. Kristīne Kazerovska (Latvia) to replace Ms. Līga Rubene, Mr. Muhammad Shakeel Malik (Pakistan) to replace Mr. Iftikhar-ul-Hassan Shah Gilani, and Ms. Agnieszka Jankowska (Poland) to replace Ms. Dorota Wiaderna as members of the Committee to serve for the remainder of Mr. Goodman's, Ms. Salgado's, Ms. Rubene's, Mr. Gilani's and Ms. Wiaderna's terms, until 30 April 2022;
5. *Appoints* the 14 designated experts listed in the annex to the present decision to serve as members of the Committee, with terms of office from 1 May 2020 to 30 April 2024;<sup>2</sup>
6. *Elects* Ms. Noluzuko Gwayi (South Africa) as the Chair of the Committee;
7. *Welcomes* the orientation workshop conducted by the Secretariat for new members, and requests the Secretariat to establish and implement training activities within the framework of the technical assistance plan, subject to the availability of resources, for new and existing members, considering different delivery techniques and information channels, inter alia, workshops and e-learning tools, and to report on their results to the Conference of the Parties at its tenth meeting;
8. *Also welcomes* the Secretariat's recommendations in document UNEP/FAO/RC/COP.9/INF/18 for improving participation, openness and transparency in the Chemical Review Committee process;
9. *Requests* the Secretariat to report to the Conference of the Parties at its tenth meeting on progress with respect to the recommendations for improving participation, openness and transparency in the Chemical Review Committee process, as contained in document UNEP/FAO/RC/COP.9/INF/18, with particular attention to actions that increase the participation of experts, Parties and observers;
10. *Also requests* the Secretariat to translate, subject to the availability of resources, the Pocket Guide for Effective Participation in the Chemical Review Committee under the Rotterdam Convention and the Handbook of Working Procedures and Policy Guidance for the Chemical Review Committee.

<sup>1</sup> UNEP/FAO/RC/CRC.13/19 and UNEP/FAO/RC/CRC.14/10.

<sup>2</sup> The curricula vitae of these experts are set out in document UNEP/FAO/RC/COP.9/INF/4/Rev.1.

## **Annex to decision RC-9/2**

### **Members of the Chemical Review Committee appointed by the Conference of the Parties at its ninth meeting for terms of office beginning on 1 May 2020**

#### **African States**

Ms. Aïta Sarr Seck (Senegal)  
Mr. Clarence Matewe (Zimbabwe)  
Mr. Youssef Zidi (Tunisia)  
Mr. Daniel William Ndiyo (United Republic of Tanzania)

#### **Asia-Pacific States**

Ms. Yenny Meliana (Indonesia)  
Mr. Hassan Azhar (Maldives)  
Mr. Jayakody A. Sumith (Sri Lanka)  
Mr. Dinesh Runiwal (India)

#### **Central and Eastern European States**

Ms. Anahit Aleksandryan (Armenia)

#### **Latin American and Caribbean States**

Ms. Eliana Rosa Munarriz (Argentina)  
Mr. Jonah Ormond (Antigua and Barbuda)

#### **Western European and other States**

Mr. Juergen Helbig (Austria)  
Ms. Mara Curaba (Belgium)  
Ms. Sarah Maillefer (Switzerland)

## RC-9/3: Listing of hexabromocyclododecane in Annex III to the Rotterdam Convention

*The Conference of the Parties,*

*Noting with appreciation* the work of the Chemical Review Committee,

*Having considered* the recommendation of the Chemical Review Committee to make hexabromocyclododecane subject to the prior informed consent procedure and, accordingly, to list it in Annex III to the Rotterdam Convention on the Prior Informed Consent Procedure for Certain Hazardous Chemicals and Pesticides in International Trade as an industrial chemical,

*Satisfied* that all the requirements for listing in Annex III to the Rotterdam Convention have been met,

1. *Decides* to amend Annex III to the Rotterdam Convention to list the following chemical:

<i>Chemical</i>	<i>Relevant CAS number(s)</i>	<i>Category</i>
Hexabromocyclododecane	25637-99-4 3194-55-6 134237-50-6 134237-51-7 134237-52-8	Industrial

2. *Also decides* that this amendment shall enter into force for all Parties on 16 September 2019;

3. *Approves* the decision guidance document on hexabromocyclododecane.<sup>1</sup>

<sup>1</sup> UNEP/FAO/RC/COP.9/7/Add.1, annex.

## RC-9/4: Listing of phorate in Annex III to the Rotterdam Convention

*The Conference of the Parties,*

*Noting with appreciation* the work of the Chemical Review Committee,

*Having considered* the recommendation of the Chemical Review Committee to make phorate subject to the prior informed consent procedure and, accordingly, to list it in Annex III to the Rotterdam Convention on the Prior Informed Consent Procedure for Certain Hazardous Chemicals and Pesticides in International Trade as a pesticide,

*Satisfied* that all the requirements for listing in Annex III to the Rotterdam Convention have been met,

1. *Decides* to amend Annex III to the Rotterdam Convention to list the following chemical:

<i>Chemical</i>	<i>Relevant CAS number(s)</i>	<i>Category</i>
Phorate	298-02-2	Pesticide

2. *Also decides* that this amendment shall enter into force for all Parties on 16 September 2019;
3. *Approves* the decision guidance document on phorate.<sup>1</sup>

<sup>1</sup> UNEP/FAO/RC/COP.9/8/Add.1, annex.

## RC-9/5: Consideration of acetochlor for listing in Annex III to the Rotterdam Convention

*The Conference of the Parties,*

*Noting with appreciation* the work of the Chemical Review Committee in its consideration of acetochlor, in particular the technical quality and comprehensiveness of the draft decision guidance document for that chemical,<sup>1</sup>

*Having considered* the recommendation of the Chemical Review Committee to make acetochlor subject to the prior informed consent procedure and accordingly to list it in Annex III to the Rotterdam Convention on the Prior Informed Consent Procedure for Certain Hazardous Chemicals and Pesticides in International Trade as a pesticide,

*Taking into account* that the Conference of the Parties is not yet able to reach consensus on whether to list acetochlor,

*Aware* that the failure to reach consensus so far has caused concern for many Parties,

1. *Decides* that the agenda for the tenth meeting of the Conference of the Parties shall include further consideration of a draft decision to amend Annex III to the Rotterdam Convention to include the following chemical:

Chemical	Relevant CAS number(s)	Category
Acetochlor	34256-82-1	Pesticide

2. *Also decides* that the requirements set out in Article 5 of the Rotterdam Convention, including the criteria set out in Annex II to the Convention as referred to in paragraph 6 of Article 5 of the Convention, the requirements set out in paragraph 1 of Article 7 of the Convention, and the requirements set out in the first sentence of paragraph 2 of Article 7 of the Convention on the process for listing in Annex III to the Convention have been met;

3. *Encourages* Parties to make use of all available information on acetochlor to assist others, in particular developing-country Parties and Parties with economies in transition, to make informed decisions regarding the import and management of acetochlor and to inform other Parties of those decisions, using the information exchange provisions laid down in Article 14 of the Rotterdam Convention.

<sup>1</sup> UNEP/FAO/RC/COP.9/6/Add.1.

## RC-9/6: Enhancing the effectiveness of the Rotterdam Convention

*The Conference of the Parties,*

*Welcoming* the report of the working group on enhancing the effectiveness of the Rotterdam Convention on the Prior Informed Consent Procedure for Certain Hazardous Chemicals and Pesticides in International Trade on the work of its first meeting, including the priority actions and further steps to enhance the effectiveness of the Rotterdam Convention,<sup>1</sup>

*Recalling* the objective of the Rotterdam Convention as stated in its Article 1,

*Recalling also* the discussions during the seventh and eighth meetings of the Conference of the Parties and decisions RC-7/5 and RC-8/8, and welcoming the intersessional work undertaken to enhance the effectiveness of the Rotterdam Convention, including the process of listing chemicals in Annex III to the Convention,

*Recalling further* that the initial objective of the intersessional process was to address concerns regarding the effectiveness of the process of listing chemicals in Annex III to the Rotterdam Convention,

1. *Invites* Parties to further analyse and develop proposals, including in cooperation with other Parties, to enhance the effectiveness of the Rotterdam Convention, in particular to improve the listing process;
2. *Takes note* of the Secretariat's analyses of the operational implications of the proposals to amend the Rotterdam Convention,<sup>2</sup> the information compiled by the Secretariat on effectiveness evaluation practices under other chemicals and wastes conventions and options for a framework on the assessment of the Convention,<sup>3</sup> and the background information provided by the Secretariat on possible ways of increasing cooperation with other forums engaged in chemicals management to address issues with a view to supporting implementation of the Convention;<sup>4</sup>
3. *Requests* the Secretariat, subject to the availability of resources, to implement proposals as outlined in the proposal by the Secretariat on new and innovative ways of improving information exchange under the Rotterdam Convention,<sup>5</sup> emphasizing the importance of improving the exchange of information among Parties;
4. *Also requests* the Secretariat, subject to the availability of resources, to develop, with the objective of increasing the understanding and usefulness of tools and guidance to effectively address obligations and procedures relevant to the Rotterdam Convention, a dissemination strategy for obtaining and using information that is based on the elements contained in section III of the note by the Secretariat on ways to facilitate effective and useful dissemination of information, tools and guidance and use in capacity-building and technical assistance activities<sup>6</sup> for consideration by the Conference of the Parties at its tenth meeting;
5. *Further requests* the Secretariat to identify, in consultation with the World Customs Organization, chemicals listed under the Rotterdam Convention that are not assigned exclusive Harmonized System customs codes, and to report to the Conference of the Parties at its tenth meeting for further action, as necessary;
6. *Requests* the Secretariat, subject to the availability of resources, to continue sharing collected information on the measurable impacts of listing and not listing chemicals in Annex III, including at the regional preparatory meetings.

<sup>1</sup> UNEP/FAO/RC/EFF.1/4.

<sup>2</sup> UNEP/FAO/RC/COP.9/INF/17.

<sup>3</sup> UNEP/FAO/RC/COP.9/INF/22.

<sup>4</sup> UNEP/FAO/RC/COP.9/INF/23.

<sup>5</sup> UNEP/FAO/RC/COP.9/INF/19/Rev.1.

<sup>6</sup> UNEP/FAO/RC/COP.9/INF/20.

## **RC-9/7: Procedures and mechanisms on compliance with the Rotterdam Convention**

*The Conference of the Parties*

Adopts Annex VII to the Rotterdam Convention on the Prior Informed Consent Procedure for Certain Hazardous Chemicals and Pesticides in International Trade as set out in the annex to the present decision.

### **Annex to decision RC-9/7**

#### **Annex VII**

### **Procedures and mechanisms on compliance with the Rotterdam Convention**

1. A compliance committee (hereinafter referred to as “the Committee”) is hereby established.

#### **Members**

2. The Committee shall consist of 15 members. Members shall be nominated by Parties and elected by the Conference of the Parties on the basis of equitable geographical representation of the five regional groups of the United Nations.

3. Members shall have expertise and specific qualifications in the subject matter covered by the Convention. They shall serve objectively and in the best interest of the Convention.

#### **Election of members**

4. At its first meeting after the entry into force of the present annex, the Conference of the Parties shall elect eight members of the Committee for one term and seven members for two terms. The Conference of the Parties shall, at each ordinary meeting thereafter, elect for two full terms new members to replace those members whose period of office has expired or is about to expire. Members shall not serve for more than two consecutive terms. For the purpose of the present annex, “term” shall mean the period that begins at the end of one ordinary meeting of the Conference of the Parties and ends at the end of the next ordinary meeting of the Conference of the Parties.

5. If a member of the Committee resigns or is otherwise unable to complete his or her term of office or to perform his or her functions, the Party that nominated that member shall nominate an alternate to serve for the remainder of the term.

#### **Officers**

6. The Committee shall elect its own chair. A vice-chair and a rapporteur shall be elected, on a rotating basis, by the Committee in accordance with rule 30 of the rules of procedure of the Conference of the Parties.

#### **Meetings**

7. The Committee shall hold meetings as necessary and wherever possible in conjunction with meetings of the Conference of the Parties or other Convention bodies.

8. Subject to paragraph 9 below, the meetings of the Committee shall be open to Parties and the public unless the Committee decides otherwise. When the Committee is dealing with submissions pursuant to paragraph 12 or 13 below, the meetings of the Committee shall be open to Parties and closed to the public unless the Party whose compliance is in question agrees otherwise. The Parties or observers to whom the meeting is open shall not have the right to participate in the meeting unless the Committee and the Party whose compliance is in question agree otherwise.

9. Where a submission is made with regard to the possible non-compliance of a Party, it shall be invited to participate in the consideration of the submission by the Committee. Such a Party, however, may not take part in the elaboration and adoption of a recommendation or conclusion of the Committee in relation to the matter.

10. The Committee shall make every effort to reach agreement on all matters of substance by consensus. Where this is not possible, the report shall reflect the views of all Committee members. If

all efforts to reach consensus have been exhausted and no agreement has been reached, any decision shall, as a last resort, be taken by a four-fifths majority of the members present and voting or by eight members, whichever is greater. Ten members of the Committee shall constitute a quorum.

11. Each member of the Committee shall, in respect of any matter that is under consideration by the Committee, avoid direct or indirect conflicts of interest. When a member finds himself or herself faced with a direct or indirect conflict of interest, or is a citizen of a Party whose compliance is in question, that member shall bring the issue to the attention of the Committee before consideration of the matter. The concerned member shall not participate in the elaboration and adoption of a recommendation of the Committee in relation to that matter.

12. Submissions may be made in writing, through the Secretariat, by:

(a) A Party that believes that, despite its best endeavours, it is, or will be, unable to comply with certain obligations under the Convention. Such a submission should include details as to which specific obligations are concerned and an assessment of the reason why the Party may be unable to meet those obligations. Where possible, substantiating information, or advice as to where such substantiating information may be found, may be provided. The submission may include suggestions for solutions which the Party considers may be most appropriate to its particular needs;

(b) A Party that is directly affected or likely to be directly affected by another Party's alleged failure to comply with the obligations of the Convention. A Party intending to make a submission under the present subparagraph should, before so doing, undertake consultations with the Party whose compliance is in question. The submission should include details as to which specific obligations are concerned, and information substantiating the submission, including how the Party is affected or likely to be affected.

13. The Committee, in order to assess possible difficulties faced by Parties in fulfilling their obligations under Articles 4 (1), 5 (1), 5 (2) and 10 of the Convention, upon receipt of information from the Secretariat provided by such Parties pursuant to those provisions, shall notify the Party in writing regarding the matter of concern. If the matter has not been resolved within 90 days by consultation through the Secretariat with the Party concerned and the Committee considers the matter further, it shall do so in accordance with paragraphs 16 to 24 below.

14. The Secretariat shall forward submissions made under subparagraph 12 (a) above, within two weeks of receiving such submissions, to the members of the Committee for consideration at the Committee's next meeting.

15. The Secretariat shall, within two weeks of its receiving any submission made under subparagraph 12 (b) or in furtherance to paragraph 13 above, send a copy to the Party whose compliance with the Convention is in question and to the members of the Committee for consideration at the Committee's next meeting.

16. A Party whose compliance is in question may present responses or comments at every step of the proceedings described in the present annex.

17. Without prejudice to paragraph 16 above, additional information, provided by a Party whose compliance is in question in response to a submission, should be forwarded to the Secretariat within three months of the date of receipt of the submission by that Party, unless the circumstances of a particular case require an extended period of time. Such information shall be immediately transmitted to the members of the Committee for consideration at the Committee's next meeting. Where a submission has been made pursuant to subparagraph 12 (b) above, the information shall be forwarded by the Secretariat also to the Party that made the submission.

18. The Committee may decide not to proceed with submissions which it considers to be:

- (a) De minimis;
- (b) Manifestly ill-founded.

### **Facilitation**

19. The Committee shall consider any submission made to it in accordance with paragraph 12 or in furtherance of paragraph 13 above, with a view to establishing the facts and the root causes of the matter of concern and to assisting in its resolution, taking into account Article 16 of the Convention. To that end, the Committee may provide a Party with:

- (a) Advice;
- (b) Non-binding recommendations;

(c) Any further information required to assist the Party in developing a compliance plan, including timelines and targets.

#### **Possible measures to address compliance issues**

20. If, after undertaking the facilitation procedure set forth in paragraph 19 above and taking into account the cause, type, degree and frequency of compliance difficulties, including financial and technical capacities of the Parties whose compliance is in question, the Committee considers it necessary to propose further measures to address a Party's compliance problems, the Committee may recommend to the Conference of the Parties, bearing in mind its ability under Article 18 (5) (c) of the Convention, that it consider the following measures, to be taken in accordance with international law, to attain compliance:

- (a) Further support under the Convention for the Party concerned, including facilitation, as appropriate, of access to financial resources, technical assistance and capacity-building;
- (b) Providing advice regarding future compliance in order to help Parties to implement the provisions of the Convention and to promote cooperation among all Parties;
- (c) Requesting the Party concerned to provide an update on its efforts;
- (d) Issuing a statement of concern regarding possible future non-compliance;
- (e) Issuing a statement of concern regarding current non-compliance;
- (f) Requesting the Executive Secretary to make public cases of non-compliance;
- (g) Recommending that a non-compliance situation be addressed by the non-compliant Party with the aim of resolving the situation.

#### **Handling of information**

21. (1) The Committee may receive relevant information, through the Secretariat, from:

- (a) The Parties;
- (b) Relevant sources, as it considers necessary and appropriate, with the prior consent of the Party concerned or as directed by the Conference of the Parties;
- (c) The Convention clearing-house mechanism and relevant intergovernmental organizations. The Committee shall provide the Party concerned with such information and invite it to present comments thereon.

(2) The Committee may also request information from the Secretariat, where appropriate, in the form of a report, on matters under the Committee's consideration.

22. For the purpose of examining systemic issues of general compliance under paragraph 25 below, the Committee may:

- (a) Request information from all Parties;
- (b) In accordance with relevant guidance by the Conference of the Parties, request relevant information from any reliable sources and outside experts;
- (c) Consult with the Secretariat and draw upon its experience and knowledge base.

23. Subject to Article 14 of the Convention, the Committee, any Party or any person involved in the deliberations of the Committee shall protect the confidentiality of information received in confidence.

#### **Monitoring**

24. The Committee should monitor the consequences of action taken in pursuance of paragraph 19 or 20 above.

#### **General compliance issues**

25. The Committee may examine systemic issues of general compliance of interest to all Parties where:

- (a) The Conference of the Parties so requests;

(b) The Committee, on the basis of information obtained by the Secretariat, while acting pursuant to its functions under the Convention, from Parties and submitted to the Committee by the Secretariat, decides that there is a need for an issue of general non-compliance to be examined and for a report on it to be made to the Conference of the Parties.

#### **Reports to the Conference of the Parties**

26. The Committee shall submit a report to each ordinary meeting of the Conference of the Parties reflecting:

(a) The work that the Committee has undertaken;

(b) The conclusions or recommendations of the Committee;

(c) The future programme of work of the Committee, including the schedule of expected meetings which it considers necessary for the fulfilment of its programme of work, for the consideration and approval of the Conference of the Parties.

#### **Other subsidiary bodies**

27. Where the activities of the Committee in respect of particular issues overlap with the responsibilities of another Rotterdam Convention body, the Conference of the Parties may direct the Committee to consult with that body.

#### **Information-sharing with compliance committees under relevant multilateral environmental agreements**

28. Where relevant, the Committee may solicit specific information, upon request by the Conference of the Parties or at its own initiative, from compliance committees dealing with hazardous substances and wastes under the auspices of relevant multilateral environmental agreements and report on these activities to the Conference of the Parties.

#### **Review of the compliance mechanism**

29. The Conference of the Parties shall regularly review the implementation of the procedures and mechanisms set forth in the present annex.

#### **Relationship with settlement of disputes**

30. These procedures and mechanisms shall be without prejudice to Article 20 of the Convention.

## RC-9/8: Technical assistance

### *The Conference of the Parties*

1. *Takes note* of the report on the implementation of the technical assistance plan for the period 2018–2021 in the biennium 2018–2019<sup>1</sup> and the work carried out on monitoring and evaluation;
2. *Invites* developing-country Parties and Parties with economies in transition to submit to the Secretariat, by 31 March 2020, information on their needs for technical assistance and technology transfer, in accordance with the provisions of the Rotterdam Convention on the Prior Informed Consent Procedure for Certain Hazardous Chemicals and Pesticides in International Trade;
3. *Invites* developed-country Parties and others with the capacity to do so to submit to the Secretariat, by 31 March 2020, information on the technical assistance and technology that they have available to be transferred, in accordance with the provisions of the Rotterdam Convention, to developing-country Parties and Parties with economies in transition;
4. *Requests* the Secretariat to continue to collect relevant information on technical assistance for the implementation of the Rotterdam Convention, including information available online, submitted by Parties and other stakeholders or available through other means, such as information related to the Stockholm Convention financial mechanism, in the database referred to in decisions BC-12/9, RC-7/7 and SC-7/16;
5. *Notes* that the technical assistance plan for the implementation 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 for the period 2018–2021<sup>2</sup> provides Parties with opportunities for training and capacity-building;
6. *Encourages* Parties, the United Nations Environment Programme, the Food and Agriculture Organization of the United Nations, the Global Environment Facility and the Special Programme to support institutional strengthening at the national level for implementation of the Basel, Rotterdam and Stockholm conventions, the Minamata Convention and the Strategic Approach to International Chemicals Management, according to their mandates and the priorities that have been established, to continue to support the technical assistance plan for the implementation of the Basel, Rotterdam and Stockholm conventions for the period 2018–2021;
7. *Encourages* relevant Parties, in line with Article 10 of the Basel Convention, Article 16 of the Rotterdam Convention and Article 12 of the Stockholm Convention, and invites others in a position to do so to support the implementation of the technical assistance plan for the implementation of the Basel, Rotterdam and Stockholm conventions for the period 2018–2021;
8. *Requests* the Secretariat, subject to the availability of resources:
  - (a) To continue to implement the technical assistance plan for the period 2018–2021 in cooperation with relevant actors;
  - (b) To develop an online survey to collect the information from Parties in accordance with paragraphs 2, 3 and 4 of the present decision, to make the information available on the websites of the conventions, and to prepare a report on the assessment of the information on the needs of developing-country Parties and Parties with economies in transition for technical assistance and technology transfer, based on the information submitted by Parties;
  - (c) To continue to include information on the monitoring and evaluation of projects undertaken under the technical assistance plan for the period 2018–2021 in the report requested in paragraph 10 of the present decision;
  - (d) To develop a technical assistance plan for the period 2022–2025, taking into account the reports referred to in subparagraphs 8 (b) and (c) of the present decision, and to present it for consideration by the Conference of the Parties at its next meeting;
9. *Emphasizes* the key role of the regional centres, as set out in the provisions of the Basel and Stockholm conventions, as well as the regional, subregional and country offices of the Food and Agriculture Organization of the United Nations, the United Nations Environment Programme and other participating organizations of the Inter-Organization Programme for the Sound Management of

<sup>1</sup> UNEP/CHW.14/INF/25/Rev.1–UNEP/FAO/RC/COP.9/INF/24/Rev.1–UNEP/POPS/COP.9/INF/25/Rev.1.

<sup>2</sup> UNEP/CHW.13/INF/36–UNEP/FAO/RC/COP.8/INF/26–UNEP/POPS/COP.8/INF/25.

Chemicals, in delivering technical assistance upon request, particularly at the regional level, for the Basel, Rotterdam and Stockholm conventions and facilitating technology transfer to eligible Parties;

10. *Requests* the Secretariat to report to the Conference of the Parties at its next meeting on the implementation of the present decision, including in particular the continued and effective use of the database for the collection of relevant information.

## RC-9/9: International cooperation and coordination

### *The Conference of the Parties*

1. *Welcomes* the ministerial declarations and the resolutions adopted by the United Nations Environment Assembly at its third and fourth sessions, and joins in the expression of deep concern that our planet is increasingly polluted and in the encouragement to Governments and all other stakeholders to contribute to the effective implementation of the plan “Towards a Pollution-Free Planet”;<sup>1</sup>

2. *Joins* the Environment Assembly in emphasizing the need for urgent and resolute action to implement the 2030 Agenda for Sustainable Development<sup>2</sup> on matters related to the sound management of chemicals and waste, including through relevant improvements to the current international framework for the sound management of chemicals and waste;

3. *Calls upon* all Parties and other stakeholders to intensify and prioritize efforts on the sound management of chemicals and waste towards the achievement by 2020 of target 12.4 of the 2030 Agenda for Sustainable Development, in line with Environment Assembly resolution 4/8 on the sound management of chemicals and waste, including through technical assistance and capacity-building, to enable Parties to meet the relevant goals and targets of the 2030 Agenda as soon as possible;

4. *Requests* the Executive Secretary to cooperate with the Executive Director of the United Nations Environment Programme in fostering the implementation of Environment Assembly resolutions related to the sound management of chemicals and waste and of the plan “Towards a Pollution-Free Planet” in areas relevant to the Basel Convention on the Control of Transboundary Movements of Hazardous Wastes and Their Disposal, the Rotterdam Convention on the Prior Informed Consent Procedure for Certain Hazardous Chemicals and Pesticides in International Trade and the Stockholm Convention on Persistent Organic Pollutants;

5. *Takes note* of the report by the Secretariat on international cooperation and coordination during the period 1 January 2017–31 December 2018,<sup>3</sup> the information provided by the secretariat of the Strategic Approach to International Chemicals Management on the Strategic Approach and the sound management of chemicals and wastes beyond 2020,<sup>4</sup> and the information on activities undertaken by the United Nations Environment Programme on programmatic matters pertaining to the Basel, Rotterdam and Stockholm conventions;<sup>5</sup>

6. *Requests* the Secretariat:

(a) To continue to make available to the United Nations Environment Programme information relevant to the follow-up and review of the 2030 Agenda for Sustainable Development submitted to it by Parties;

(b) To continue to cooperate with the United Nations Environment Programme, the Statistics Division of the Department of Economic and Social Affairs of the United Nations Secretariat and other relevant organizations in the development of methodologies for indicators relevant to the Basel, Rotterdam and Stockholm conventions;

(c) To continue, subject to the availability of resources, to assist Parties, upon request, in their efforts to integrate relevant elements of the conventions into their national plans and strategies for sustainable development and, as appropriate, legislation;

(d) To continue to work closely with other international organizations, within the scope of their mandates, on activities related to marine plastic litter and microplastics;

(e) To continue to participate as an observer, upon invitation, at relevant meetings of the Inter-Organization Programme for the Sound Management of Chemicals, pending the outcome of the actions mentioned in paragraph 8 of the present decision;

7. *Notes* the intention to establish an e-waste coalition composed of the International Labour Organization, the International Telecommunication Union, the International Trade Centre, the

<sup>1</sup> UNEP/EA.3/HLS.1.

<sup>2</sup> General Assembly resolution 70/1.

<sup>3</sup> UNEP/CHW.14/INF/36–UNEP/FAO/RC/COP.9/INF/29–UNEP/POPS/COP.9/INF/38.

<sup>4</sup> UNEP/CHW.14/INF/54–UNEP/FAO/RC/COP.9/INF/44–UNEP/POPS/COP.9/INF/57.

<sup>5</sup> UNEP/CHW.14/INF/37–UNEP/FAO/RC/COP.9/INF/30–UNEP/POPS/COP.9/INF/39.

United Nations Environment Programme, the United Nations Industrial Development Organization, the United Nations Institute for Training and Research, the United Nations University, the United Nations Human Settlements Programme, the World Health Organization and the Secretariat that would provide a framework for coordination and collaboration on United Nations system-wide support for e-waste management, and requests the Secretariat, should the coalition be established, to cooperate, as appropriate and subject to the availability of resources, with those members of the coalition that belong to the United Nations system;

8. *Invites* the participating organizations of the Inter-Organization Programme for the Sound Management of Chemicals to consider inviting the Basel, Rotterdam and Stockholm conventions to become members of the Programme, and requests the Executive Secretary to take the necessary steps for membership and participation in the Programme;

9. *Requests* the Secretariat to continue to enhance cooperation and coordination with the secretariat of the Minamata Convention on Mercury in programmatic areas such as mercury wastes and their environmentally sound management, capacity-building and the provision of technical assistance, including through regional centres and in other relevant areas of mutual interest to the Basel, Rotterdam and Stockholm conventions;

10. *Also requests* the Secretariat to continue to enhance cooperation and coordination with the secretariat of the Strategic Approach and with other international organizations in areas of relevance to the Basel, Rotterdam and Stockholm conventions, including with the organizations and activities listed in the report by the Secretariat on international cooperation and coordination for the period 1 January 2017–31 December 2018;

11. *Further requests* the Secretariat to report on the implementation of the present decision to the Conference of the Parties at its next meeting.

## RC-9/10: Cooperation between the joint Secretariat of the Basel, Rotterdam and Stockholm Conventions and the secretariat of the Minamata Convention

*The Conference of the Parties,*

*Recalling* that the Executive Director of the United Nations Environment Programme performs secretariat functions for the Basel, Rotterdam and Stockholm conventions as well as for the Minamata Convention on Mercury,

*Emphasizing* the successive decisions of the conferences of the Parties to the Basel, Rotterdam and Stockholm conventions to enhance cooperation and coordination with the secretariat of the Minamata Convention, maximizing the effective and efficient use of resources at all levels, including the provision of any secretariat support that may be requested and is fully funded by the Conference of the Parties to the Minamata Convention,

*Welcoming* decision MC-2/7 of the Conference of the Parties to the Minamata Convention regarding cooperation between the secretariat of the Minamata Convention and the Secretariat of the Basel, Rotterdam and Stockholm Conventions and the invitation contained therein for the conferences of the Parties to the Basel, Rotterdam and Stockholm conventions to consider adopting, at their next meeting, corresponding decisions on this matter,

1. *Requests* the Executive Director of the United Nations Environment Programme, in the capacity of performing secretariat services for the Basel, Rotterdam and Stockholm conventions:

(a) Mindful of the legal autonomy of the respective secretariats, to maximize the effective and efficient use of resources of the Basel, Rotterdam and Stockholm conventions, including through the sharing of relevant secretariat services with the Minamata Convention, which are performed by the Executive Director of the United Nations Environment Programme, as appropriate, and to implement relevant arrangements as soon as feasible;

(b) To submit an operative proposal, prepared together with the Executive Secretary of the Basel and Stockholm conventions and the United Nations Environment Programme part of the Rotterdam Convention and with the support of the Executive Secretary of the Minamata Convention, on a stable framework for sharing of relevant services in areas such as conference services, knowledge and information management, administrative and information technology services, technical assistance, legal advice and budget preparation, including possible options, for consideration by the conferences of the Parties at their next meeting;

2. *Requests* the Executive Secretary of the Basel and Stockholm conventions and the United Nations Environment Programme part of the Rotterdam Convention to take into *consideration* paragraph 1 of the present decision in the implementation of the programme of work and budget for the biennium 2020–2021, in line with the continued mandate on this matter contained in decisions BC-13/24, RC-8/17 and SC-8/27;

3. *Requests* the Executive Director of the United Nations Environment Programme to inform the Executive Secretary of the Minamata Convention and the Conference of the Parties to that Convention, at its next meeting, of the present decision, and of any relevant secretariat arrangements already established or being developed or considered pursuant to the present decision.

## RC-9/11: Clearing house mechanism for information exchange

### *The Conference of the Parties*

1. *Welcomes* the progress made in the implementation of the joint clearing house mechanism;
2. *Also welcomes* the work of the Secretariat in preparing a draft workplan for the implementation of the joint clearing house mechanism for the biennium 2020–2021;<sup>1</sup>
3. *Requests* the Secretariat:
  - (a) To continue the work to implement the strategy of the joint clearing house mechanism<sup>2</sup> in a gradual and cost-effective manner;
  - (b) To implement the maintenance activities of the clearing house mechanism workplan for the biennium 2020–2021 mentioned in paragraph 2 of the present decision in accordance with the programme of work and budget for the Rotterdam Convention on the Prior Informed Consent Procedure for Certain Hazardous Chemicals and Pesticides in International Trade for the biennium, while prioritizing recurring activities, in particular with respect to the maintenance of existing systems;
  - (c) To implement, subject to the availability of resources, the new activities of the clearing house mechanism workplan for the biennium 2020–2021 mentioned in paragraph 2 of the present decision in accordance with the programme of work and budget for the Rotterdam Convention for the biennium;
4. *Also requests* the Secretariat:
  - (a) To ensure that activities undertaken in the development of the clearing house mechanism are cost-effective, proportionate and balanced and in line with the capacity and resources of the Secretariat;
  - (b) To participate in meetings by electronic means where possible and to use translations that are already available in the six official languages of the United Nations;
  - (c) To utilize the clearing house mechanism to gather information about regional and national initiatives related to waste management, including those on plastic waste, taking into account and in cooperation with other initiatives;
  - (d) To continue to enhance cooperation and coordination activities with existing partners in the area of information exchange, to explore possible cooperative activities with new partners, as appropriate, and to ensure complementarity and avoid duplication with existing and future activities, tools and mechanisms;
  - (e) To expand its collaboration with the secretariat of the Minamata Convention on Mercury to exchange information and share experiences and best practices regarding the use of existing clearing-house mechanism systems;
5. *Invites* Parties and observers to participate, as appropriate, in the development of the joint clearing house mechanism strategy and in relevant activities of the workplan in accordance with the present decision;
6. *Requests* the Secretariat to keep the strategy under regular review in order to take into account lessons learned and relevant developments with regard to matters such as the multisectoral and multi-stakeholder discussions on the sound management of chemicals and waste beyond 2020.

<sup>1</sup> UNEP/CHW.14/INF/39–UNEP/FAO/RC/COP.9/INF/32–UNEP/POPS/COP.9/INF/41.

<sup>2</sup> UNEP/CHW.13/INF/47–UNEP/FAO/RC/COP.8/INF/33–UNEP/POPS/COP.8/INF/50.

## RC-9/12: Synergies in preventing and combating illegal traffic and trade in hazardous chemicals and wastes

*The Conference of the Parties,*

*Recalling* decisions BC-13/21, RC-8/14 and SC-8/24, on synergies in preventing and combating illegal traffic and trade in hazardous chemicals and wastes,

1. *Takes note* of the information provided by Parties about their experience with the establishment of coordinating mechanisms and lessons learned from such experience, and about cases of illegal trade in hazardous chemicals and wastes;<sup>1</sup>
2. *Encourages* Parties that have not yet done so to establish national-level coordination mechanisms with a view to facilitating the exchange of information among relevant authorities responsible for the implementation and enforcement of the provisions of the Basel Convention on the Control of Transboundary Movements of Hazardous Wastes and Their Disposal, the Rotterdam Convention on the Prior Informed Consent Procedure for Certain Hazardous Chemicals and Pesticides in International Trade and the Stockholm Convention on Persistent Organic Pollutants, aimed at controlling the export and import of the chemicals and wastes covered under the conventions, and encourages Parties to provide information to the Secretariat about cases of illegal traffic and trade in the chemicals and wastes covered by the Basel, Rotterdam and Stockholm conventions, where the provision of such information is appropriate under existing reporting procedures;
3. *Takes note* of the report, including recommendations, on further areas in which legal clarity could be improved, prepared by the Secretariat;<sup>2</sup>
4. *Also takes note* of the information provided by the member organizations of the Inter-Organization Programme for the Sound Management of Chemicals, the Basel Convention and Stockholm Convention regional centres, the International Criminal Police Organization, the World Customs Organization, the secretariat of the Montreal Protocol on Substances that Deplete the Ozone Layer and relevant global and regional enforcement networks about their activities aimed at preventing and combating illegal traffic and trade in hazardous chemicals and wastes as well as lessons learned from those activities;<sup>3</sup>
5. *Encourages* the organizations mentioned in paragraph 4 of the present decision to undertake activities aimed at assisting Parties to the Basel, Rotterdam and Stockholm conventions to prevent and combat illegal traffic and trade in hazardous chemicals and wastes, and to inform the Secretariat thereof;
6. *Requests* the Secretariat:
  - (a) To develop, taking into account lessons learned from experience with the Basel Convention, a draft form and explanatory document to enable Parties to the Rotterdam and Stockholm conventions to voluntarily provide information about cases of trade occurring in contravention of those conventions, for comments by Parties and subsequent consideration by the conferences of the Parties to the Rotterdam and Stockholm conventions at their next meetings;
  - (b) To prepare, taking into account existing information<sup>4</sup> as well as the information received pursuant to paragraph 5 of the present decision, recommendations concerning opportunities for strengthened cooperation for consideration by the conferences of the Parties to the Basel, Rotterdam and Stockholm conventions at their next meetings;
  - (c) To continue to provide advice and, subject to the availability of resources, undertake technical assistance activities to strengthen the capacity of Parties to prevent and combat illegal traffic and trade in the chemicals and wastes covered by the Basel, Rotterdam and Stockholm conventions;
  - (d) To report on the implementation of the present decision to the Conference of the Parties at its next meeting.

<sup>1</sup> UNEP/CHW.14/23–UNEP/FAO/RC/COP.9/19–UNEP/POPS/COP.9/26 and UNEP/CHW.14/INF/42–UNEP/FAO/RC/COP.9/INF/33–UNEP/POPS/COP.9/INF/42, annex I.

<sup>2</sup> UNEP/CHW.14/INF/41–UNEP/FAO/RC/COP.9/INF/34–UNEP/POPS/COP.9/INF/43, annex.

<sup>3</sup> UNEP/CHW.14/23–UNEP/FAO/RC/COP.9/19–UNEP/POPS/COP.9/26 and UNEP/CHW.14/INF/42–UNEP/FAO/RC/COP.9/INF/33–UNEP/POPS/COP.9/INF/42, annex II.

<sup>4</sup> UNEP/CHW.14/INF/42–UNEP/FAO/RC/COP.9/INF/33–UNEP/POPS/COP.9/INF/42, annex II.

## RC-9/13: From science to action

*The Conference of the Parties,*

1. *Takes note* of the road map for further engaging Parties and other stakeholders in informed dialogue for enhanced science-based action in the implementation of the Basel Convention on the Control of Transboundary Movements of Hazardous Wastes and Their Disposal, the Rotterdam Convention on the Prior Informed Consent Procedure for Certain Hazardous Chemicals and Pesticides in International Trade and the Stockholm Convention on Persistent Organic Pollutants;<sup>1</sup>
2. *Encourages* Parties and others to initiate action that promotes the implementation of the road map;
3. *Requests* the Secretariat, subject to the availability of resources, to undertake capacity-building and training activities to support Parties in taking science-based action in the implementation of the Basel, Rotterdam and Stockholm conventions;
4. *Invites* Parties and observers to submit to the Secretariat, by 30 November 2020, information on action being undertaken to promote the implementation of the road map;
5. *Requests* the Secretariat to continue to cooperate and coordinate with the United Nations Environment Programme and, as appropriate, other relevant organizations, scientific bodies and stakeholders with the aim of strengthening the science-policy interface;
6. *Also requests* the Secretariat to cooperate and coordinate, as appropriate, with the United Nations Environment Programme in the preparation of the assessment of options for strengthening the science-policy interface at the international level for the sound management of chemicals and waste, which was requested of the Executive Director of the United Nations Environment Programme by the United Nations Environment Assembly in its resolution 4/8, particularly with regard to possible synergies and opportunities between the existing mechanisms under the Basel, Rotterdam and Stockholm conventions and the science-policy interface for the wider sound management of chemicals and waste;
7. *Further requests* the Secretariat to report to the Conference of the Parties at its next meeting on the implementation of the present decision.

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<sup>1</sup> UNEP/CHW.14/INF/40–UNEP/FAO/RC/COP.9/INF/35–UNEP/POPS/COP.9/INF/44.

## **RC-9/14: Memorandum of understanding between the Food and Agriculture Organization of the United Nations and the United Nations Environment Programme and the Conference of the Parties to the Rotterdam Convention on the Prior Informed Consent Procedure for Certain Hazardous Chemicals and Pesticides in International Trade**

*The Conference of the Parties,*

*Taking note* of the United Nations Environment Programme November 2016 delegation of authority policy and framework for the management and administration of multilateral environmental agreement secretariats and other bodies for which the United Nations Environment Programme provides the secretariat or secretariat functions,<sup>1</sup>

*Taking note also* of the United Nations Environment Programme March 2018 flexible template of options for the provision of secretariat services,<sup>2</sup>

*Acknowledging* the continuing application of the memorandum of understanding between the Director-General of the Food and Agriculture Organization of the United Nations and the Executive Director of the United Nations Environment Programme concerning arrangements for performing jointly the secretariat functions for the Rotterdam Convention on the Prior Informed Consent Procedure for Certain Hazardous Chemicals and Pesticides in International Trade, which was approved by the Conference of the Parties in its decision RC-2/5 and entered into force on 28 November 2005 and is distinct from the draft memorandum of understanding requested in decision RC-7/14 to be submitted for consideration by the Conference of the Parties at its eighth meeting;

1. *Adopts* the memorandum of understanding between the Executive Director of the United Nations Environment Programme, the Director-General of the Food and Agriculture Organization of the United Nations and the Conference of the Parties to the Rotterdam Convention on the Prior Informed Consent Procedure for Certain Hazardous Chemicals and Pesticides in International Trade as set out in the annex to the present decision;

2. *Requests* the President of the Conference of the Parties, on behalf of the Conference of the Parties to the Rotterdam Convention, the Director-General of the Food and Agriculture Organization of the United Nations and the Executive Director of the United Nations Environment Programme to sign the memorandum of understanding during or following the closing of the ninth meeting of the Conference of the Parties.

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<sup>1</sup> UNEP/CHW.14/INF/50–UNEP/FAO/RC/COP.9/INF/43–UNEP/POPS/COP.9/INF/55.

<sup>2</sup> UNEP/CHW.14/INF/49–UNEP/FAO/RC/COP.9/INF/42–UNEP/POPS/COP.9/INF/54.

**Annex to decision RC-9/14\***

**MEMORANDUM OF UNDERSTANDING**

**BETWEEN**

**THE CONFERENCE OF THE PARTIES TO THE ROTTERDAM  
CONVENTION ON THE PRIOR INFORMED CONSENT PROCEDURE FOR  
CERTAIN HAZARDOUS CHEMICALS AND PESTICIDES IN  
INTERNATIONAL TRADE**

**THE EXECUTIVE DIRECTOR OF THE UNITED NATIONS  
ENVIRONMENT PROGRAMME**

**AND**

**THE DIRECTOR-GENERAL OF THE FOOD AND AGRICULTURE  
ORGANIZATION OF THE UNITED NATIONS**

**CONCERNING**

**THE ARRANGEMENTS FOR THE PROVISION OF SECRETARIAT  
FUNCTIONS BY THE UNITED NATIONS ENVIRONMENT PROGRAMME  
AND THE FOOD AND AGRICULTURE ORGANIZATION OF THE  
UNITED NATIONS FOR THE ROTTERDAM CONVENTION**

(hereinafter referred to as the “Memorandum of Understanding”)

The Conference of the Parties to the Rotterdam Convention on the Prior Informed Consent procedure for certain hazardous chemicals and pesticides in international trade (the “Conference of the Parties”), the Executive Director of the United Nations Environment Programme (the “Executive Director”), and the Director-General of the Food and Agriculture Organization of the United Nations (the “Director-General”) as they may hereinafter also be referred to individually as “Party” and collectively as the “Parties”:

*Recalling* Article 19, paragraph 2 (d) of the Rotterdam Convention on the Prior Informed Consent procedure for certain hazardous chemicals and pesticides in international trade (the “Convention”), which provides that the functions of the Secretariat are to “enter, under the overall guidance of the Conference of the Parties, into such administrative and contractual arrangements as may be required for the effective discharge of its functions”, and paragraph 3, which provides that “the secretariat functions for this Convention shall be performed jointly by the Executive Director of the United Nations Environment Programme and the Director-General of the Food and Agriculture Organization of the United Nations, subject to such arrangements as shall be agreed between them and approved by the Conference of the Parties”,

*Recalling* the decision of the United Nations General Assembly, contained in section II of its resolution 2997 (XXVII) of 15 December 1972, to establish the environment secretariat headed by the Executive Director of the United Nations Environment Programme (“UNEP”), who is responsible to perform, *inter alia*, such functions as may be entrusted to him by the Governing Council of the UNEP, and recalling, in that context, decision 21/4 of 9 February 2001 authorizing the participation of the secretariat of UNEP in the Secretariat to the Convention,

*Recalling* that the Food and Agriculture Organization of the United Nations (“FAO”) Conference, at its Thirtieth Session in 1999, expressed its satisfaction at the successful conclusion of the negotiations and the adoption of the Convention, favourably viewed the cooperation of FAO and UNEP both in the negotiations of the Convention and the joint provision of the Interim Secretariat and supported the primary role of FAO and UNEP in the Interim Secretariat the Convention Secretariat.

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*Recalling* the decision of Conference of the Parties, RC-1/9 whereby the Conference of the Parties invited “the Executive Director of the United Nations Environment Programme and the Director-General of the Food and Agriculture Organization of the United Nations to make arrangements for the performance of the Secretariat functions, possibly based on the same elements as in the earlier arrangements”,

*Recalling* also decision RC-2/5, in which the Conference of the Parties approved the “arrangements by the Executive Director of the United Nations Environment Programme and the Director-General of the Food and Agriculture Organization of the United Nations for the performance of the secretariat functions for the Convention”, that were concluded in a memorandum of understanding which entered into force on 28 November 2005 (the “UNEP-FAO MoU”),

*Acknowledging* the successful operation to date of the UNEP-FAO MoU and, in particular, its continuous validity and the effective coordination by the Executive Secretaries of the Rotterdam Convention appointed by the Executive Director and the Director-General, respectively, in carrying out their shared responsibilities,

*Recognizing* that the Convention and the decisions of the Conference of the Parties alone guide the implementation of the Convention and its programme of work and direct the management of its Secretariat on all substantive issues,

*Recalling* decision BC.Ex-1/1 of the Conference of the Parties to the Basel Convention on the Control of Transboundary Movements of Hazardous Wastes and their Disposal, decision RC.Ex-1/1 of the Conference of the Parties to the Rotterdam Convention and decision SC.Ex-1/1 of the Conference of the Parties to the Stockholm Convention on Persistent Organic Pollutants, whereby each Conference of the Parties decided to establish a joint head function of the Basel Convention Secretariat, the Stockholm Convention Secretariat and the UNEP part of the Rotterdam Convention Secretariat,

*Recalling also* decisions RC-6/15, RC-7/14 and RC-8/16,

## **HAVE REACHED THE FOLLOWING UNDERSTANDING:**

### **I. Basic principles**

1. The Executive Director and the Director-General jointly perform the secretariat functions for the Convention as provided for in Article 19, paragraph 3, of the Convention, unless the Conference of the Parties decides, by a three-fourths majority of the Parties present and voting, to entrust the secretariat functions to one or more other competent international organizations, should it find that the Secretariat is not functioning as intended. In doing so, the Executive Director and the Director-General recognise the legal autonomy of the Convention in relation to UNEP and to FAO and the role and function of the Secretariat, as a body to the Convention, to serve the Convention and its Parties.
2. The relationship between FAO and UNEP in providing the secretariat functions is regulated by the UNEP-FAO MoU, which is set out in English only in annex 2 to the present Memorandum of Understanding, which is an autonomous legal instrument. The Conference of the Parties recognizes the successful operation of the UNEP-FAO MoU and acknowledges that the arrangements for both parts of the Secretariat hosted by UNEP and FAO respectively continue to be governed by the UNEP-FAO MoU.
3. FAO and UNEP will assume the responsibilities as described in the UNEP-FAO MoU on the basis of their areas of competence, comparative strengths and experience, FAO having primarily responsibility for pesticides and UNEP taking primary responsibility for other chemicals, in order to facilitate the mobilization by the Secretariat of the full range of scientific, technical and economic expertise required by the Convention.
4. Pursuant to the UNEP-FAO MoU, the Executive Director and the Director-General will assist each other in carrying out their responsibilities, in support of the effective and efficient performance of the secretariat responsibilities and will share overall responsibility for carrying them out in a cooperative manner.
5. The Conference of the Parties acknowledges that the Executive Director and the Director-General are required to comply with the relevant rules, regulations and administrative issuances or procedures, as applicable, of the United Nations, UNEP, and FAO in the provision of the functions of the Convention Secretariat, which should be in conformity with the requirements of the Convention and its Parties and consistent with the relevant decisions of the Conference of the Parties.

6. The Conference of the Parties, the Executive Director and the Director-General recognize that efficient and cost effective operation of the Convention Secretariat is of paramount importance for the effective operations of the Convention. The Executive Director and the Director-General are guided by this principle in performing the secretariat functions listed in Article 19 of the Convention.

7. The Conference of the Parties, the Executive Director and the Director-General take full account of each others' views on any significant action they intend, within their respective mandates, which may affect i) the interests of the Parties to the Convention, the Secretariat, UNEP, FAO, or ii) the efficient and effective administration of the Convention or of the rules and regulations of the United Nations, UNEP and FAO.

8. The Conference of the Parties acknowledges that the Executive Director and the Director-General or their designated representatives are likely to be present when the Conference of the Parties considers and decides on a course of action; however, the Conference of the Parties is not necessarily present when the Executive Director and the Director-General do so. There may be actions or decisions to be taken by the Executive Director and the Director-General having policy or other implications for the operation of the Convention or its Secretariat in respect of which the Executive Secretaries and the Conference of the Parties should be informed. In such cases, it is of particular importance that the Executive Director and the Director-General involve the Executive Secretaries in the decision-making or action-taking process and, if appropriate, consult with the Conference of the Parties. In the event of differing opinions, the Conference of the Parties, the Executive Director and the Director-General should seek to develop a course of action that is mutually acceptable in advance of taking action.

9. The Conference of the Parties acknowledges that its President is expected to keep all of the Parties to the Convention apprised of his or her interaction with the Executive Director and the Director-General on behalf of the Conference of the Parties.

10. As provided in paragraph 3 of article 19 of the Convention, the secretariat functions for the Convention are performed jointly by the Executive Director and the Director-General, subject to such arrangements as shall be agreed between them and approved by the Conference of the Parties. In accordance with various decisions of the Conference of the Parties, an Executive Secretary, who is the joint head of the Secretariats of the Basel, Stockholm Conventions and of the UNEP-part of the Secretariat of the Rotterdam Convention, will be appointed by the Executive Director as a UNEP staff member in accordance with the United Nations staff rules and regulations. As provided in the UNEP-FAO MoU, this Executive Secretary, located in Geneva shares the position of Executive Secretary of the Rotterdam Convention Secretariat with an Executive Secretary appointed by the Director-General as an FAO staff member and located in Rome.

## **II. United Nations Environment Programme (UNEP)**

### **A. Executive Secretary and staff of the Secretariat**

11. The Executive Director will arrange for the recruitment of the Executive Secretary in accordance with the structure of the Secretariat set out in the applicable decisions of the Conference of the Parties, who will be selected in accordance with the United Nations staff rules and regulations. It is noted that in accordance with the relevant staff regulations and rules of the United Nations governing staff selection applicable to UNEP, recommendations for selection for position of the Executive Secretary at the D-2 level will be made by the Executive Director to the Senior Review Group of the United Nations Secretariat for review. Upon review, the Senior Review Group will make its recommendation to the Secretary-General of the United Nations, who will make the selection decision.

12. The Executive Director, bearing in mind the relevant decisions of the Conference of the Parties, will consult with the Conference of the Parties through its President, or a Vice-President designated by the President in his/her absence, on the recruitment, selection, and appointment of the Executive Secretary and will ensure that the United Nations staff rules and regulations applicable to UNEP will govern the recruitment, selection, and appointment of all UNEP secretariat staff, including the Executive Secretary.

13. Subject to paragraph 12 above, the Executive Director may respectively extend or discontinue the contract of the Executive Secretary in accordance with the United Nations rules and regulations. To the extent possible within his/her powers, the Executive Director is encouraged to consult with the Conference of the Parties through its President as appropriate at all stages of this process.

14. The Executive Director will provide the necessary administrative and financial support within the approved and available financial resources of the Secretariat or Convention to ensure that the

Secretariat operates with the necessary human resources. The Executive Director will ensure that any vacancy occurring among the staff of the UNEP part of the Secretariat will be filled in accordance with the United Nations staff rules and regulations applicable to UNEP as soon as possible, noting the knowledge, experience and expertise required for such posts. The Executive Director, in accordance with the United Nations rules and regulations as applicable to UNEP may delegate to the Executive Secretary the authority to take appointment decisions for the staff of the UNEP-part of the Secretariat.

15. The Executive Director will ensure that the needs of the UNEP-part of the Secretariat for Junior Professional Officers (JPOs) are, unless specified otherwise by donor governments, fully included without prioritization by UNEP, in the list that UNEP annually shares with donor governments supporting JPOs.

16. The Executive Director, including through the Executive Secretary, as appropriate, will advise the Conference of the Parties of any unforeseen delays in filling any posts, recruiting gratis personnel or JPOs or other human resources matters related to the UNEP part of the Secretariat. The Executive Director understands the importance of, reporting to the Convention's governing bodies on the status of such recruitments.

## **B. Delegation of authority**

17. Consistent with the UNEP-FAO MoU, the Executive Director delegates the necessary authority to the Executive Secretary on administrative and financial matters to enable the Executive Secretary to manage, take decisions and represent the Secretariat with the level of autonomy required for maintaining the efficient and cost-effective operations of the Secretariat. Such delegation covers, inter alia, programme management, financial and physical resources management, human resources management and any other related matters, where decisions by the Executive Secretary may be required for the effective operation of the UNEP part of the Secretariat.

18. The Executive Secretary may, in turn, delegate this authority further down either along reporting lines and/or to a manager within the Secretariat with a clear understanding that he/she, however, retains full accountability and responsibility for any wrong doing by his/her subordinates.

19. UNEP has adopted a delegation of authority policy and framework (DAPF) for the management and administration of the secretariats of multilateral environmental agreements, which came into force on 1 November 2016. The Executive Director will ensure that the Executive Secretary exercises any such delegated authority in accordance with the applicable rules and regulations of the United Nations and UNEP and the Executive Director's commitments in this Memorandum of Understanding. In the event of intended actions or decisions by the Executive Director in relation to the DAPF having policy or other implications for the operation of the Convention or its Secretariat the Executive Director will involve the Executive Secretary in the decision-making or action-taking process and, if needed, consult with the Conference of the Parties.

## **C. Administrative and programme support costs**

20. The Executive Director will work with the Executive Secretary to determine the Convention's administrative service requirements and to identify the most efficient means by which to ensure that the Convention receives the necessary administrative and financial support, within the available financial resources, in accordance with the rules and regulations of the UN and UNEP and consistent with the decisions of the Conference of the Parties, in particular decision RC-1/4 of the Conference of the Parties on the "financial rules for the Conference of the Parties, its subsidiary bodies and the Convention Secretariat", as amended by decision RC-5/1. The Executive Director will consult the Director-General as appropriate.

21. In particular, the Executive Director will allocate an appropriate share, which should initially not be less than 67% of the annual Programme Support Costs (PSC) income attributable to all of the trust funds of the Convention to the Secretariat. The allocation will be based upon receipt of an annual cost plan that demonstrates that these funds will be used efficiently and effectively in support of Convention activities.

22. The Executive Director will also allocate an appropriate share, which should initially not be more than 33%, of the PSC income attributable to all of the trust funds of the Convention to finance the part of UNEP's central administrative services that support the Rotterdam Convention. The central administrative services are set out in English only in annex 1 to the present Memorandum of Understanding, including those performed by UNON and UNOG on behalf of UNEP, the UN's Office of Internal Oversight Services (OIOS) and the Board of Auditors.

23. In accordance with the applicable UN administrative instructions,<sup>3</sup> the statement of the Programme Support account will be included in the published financial statements of UNEP. The Executive Director will provide full transparency in respect of the allocation of PSC between the Secretariat and central administrative services.

24. Pursuant to decision RC-1/4 on the “financial rules for the Conference of the Parties, its subsidiary bodies and the Convention Secretariat”, as amended by decision RC-5/1, the Conference of the Parties reimburses UNEP for the services provided to the Conference of the Parties, its subsidiary bodies and the Convention Secretariat from the funds referred to in rule 4 (paragraphs 1, 3 and 4) of these financial rules and in paragraph 21 of the present Memorandum of Understanding, on such terms as may from time to time be agreed upon in writing between the Conference of the Parties, UNEP and FAO, or, in the absence of such agreement, in accordance with the general policy of the United Nations.

#### **D. Financial matters and budgets**

25. The financial operations of the Convention are recorded in trust funds established in accordance with Financial Regulations and Rules of the United Nations, Article V of the General Procedures Governing the Operation of the Funds of the United Nations Environment Programme and consistent with the financial rules for the Conference of the Parties, its subsidiary bodies and the Convention Secretariat, in particular set out in decision RC-1/4 of the Conference of the Parties as amended by decision RC-5/1. In respect of matters not specifically provided for by the rules as contained in these decisions, the Financial Regulations and Rules of the United Nations shall apply and in the event of any conflict between the decisions of the Conference of the Parties and the Financial Regulations and Rules of the United Nations, the Financial Regulations and Rules of the United Nations shall prevail.

26. Pursuant to decision RC-1/4 on the “financial rules for the Conference of the Parties, its subsidiary bodies and the Convention Secretariat”, as amended by decision RC-5/1, the accounts and financial management of all funds governed by these rules shall be subject to the internal and external audit process of the United Nations. An interim statement of accounts for the first year of the financial period shall be provided to the Conference of the Parties during the second year of the period, and a final audited statement of accounts for the full financial period shall be provided to the Conference of the Parties as soon as possible after the accounts for the financial period are closed. The Conference of the Parties shall be informed of any relevant remarks in the reports of the United Nations Board of Auditors on financial statements of UNEP.

27. The Conference of the Parties to the Convention, including through its President, oversee the development and execution of the budget managed by the Secretariat as derived from the trust funds of the Convention.

28. The Executive Director will ensure that the Executive Secretary will comply with the specific decisions adopted at each meeting of the Conference of the Parties, including with respect to matters related to the financing and budgeting of the Secretariat, taking into account the availability of resources and in accordance with the Financial Regulations and Rules of the United Nations, UNEP.

29. The Conference of the Parties understands that a copy of the draft Secretariat budget will be shared with the Executive Director and the Director-General for review and comments before the final proposed budget is submitted by the Executive Secretaries for consideration by the Conference of the Parties at its next meeting.

#### **E. Performance evaluation and management review**

30. Evaluation of the performance of the staff and other relevant personnel of the UNEP part of the Secretariat is conducted in accordance with the relevant rules and regulations of the United Nations as applied to UNEP.

31. Through the delegation of authority referred to in section B above, the Executive Secretary will manage the performance of all staff of the UNEP part of the Secretariat other than himself/herself. The Executive Director or his/her Deputy will appraise the performances of the Executive Secretary. Performance appraisal will be conducted through the United Nations performance management and evaluation system currently in use.

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<sup>3</sup> ST/AI/286.

32. The Executive Director will ensure the Conference of the Parties has access to information regarding the applicable criteria for performance appraisal under the United Nations performance management and evaluation system.
33. In case of appraising the programmatic performance of the Executive Secretary, and his/her subordinate staff, the Executive Director acknowledges that the substantive work programme of the Secretariat is determined by the Conference of the Parties and its subsidiary bodies alone.
34. The Executive Director will ensure that the Executive Secretary acts in conformity with the provisions of the Convention, in particular with its Articles 18 and 19, as well as with the rules and regulations of the United Nations on these and other substantive functions as may be entrusted to the Secretariat by the Parties to the Convention.
35. The Executive Director will ensure that the Executive Secretary implements the decisions and conclusions of the Conference of the Parties, during and between the meetings of the Conference of the Parties.
36. The Executive Director will consult with the Conference of the Parties on any matter with respect to the performance of the Executive Secretary. The Executive Director will invite the Conference of the Parties, through its President, to provide comments regarding the performance of the Executive Secretary prior to commencing that person's performance appraisal.
37. At the request of the Executive Director or by his/her own initiative, the Executive Secretary may, in consultation with the Conference of the Parties or at its request, commission an independent management review of the Secretariat and its functions, with a view to promoting cost efficiency, transparency and furthering the goals and implementation of the Convention. Such reviews are not audits or investigations and will not therefore impinge upon the prerogatives of the Board of Auditors, OIOS and the UN's information disclosure policies. The Executive Secretary will keep the Conference of the Parties and the Executive Director fully informed of any such reviews that are undertaken.

#### **F. Implementation of the Agreement**

38. The Conference of the Parties and the Executive Director, keeping the Executive Secretary informed, will hold consultations on a regular basis, and as needed, on all issues related to the implementation of the present Memorandum of Understanding. These consultations will be conducted through the President of the Conference of the Parties, who will seek the views of the Parties to the Convention and reflect these during the consultations, or may be conducted as otherwise mutually determined by the Conference of the Parties and the Executive Director.
39. On specific issues, the President may designate the Vice-Presidents of the Conference of the Parties to conduct such consultations. The Executive Director, in his/her absence, may be represented by designated senior representatives, or consultations may take place as otherwise mutually determined by the Conference of the Parties and the Executive Director.
40. In case of any difference of opinion regarding the implementation or interpretation of the present Memorandum of Understanding, the Executive Director and the Conference of the Parties through its President will hold consultations and make every effort to reach a mutually acceptable outcome.

### **III. Food and Agriculture Organization of the United Nations (FAO)**

#### **A. Executive Secretary and staff of the Secretariat**

41. The Director-General will appoint the Executive Secretary and the personnel of the FAO part of the Secretariat in accordance with the provisions contained in the UNEP-FAO MoU, as well as FAO rules, regulations and policies, as regularly updated.
42. Pursuant to the UNEP-FAO MoU, the Director-General will continue to provide and maintain staff and resources in line with the decisions and authorizations of FAO governing bodies and the budgets approved by the Conference of the Parties. In appointing the staff, subject to the paramount importance of securing the highest standards of efficiency and of technical competence, the Director-General shall pay due regard to the importance of selecting personnel recruited on as wide as geographical basis as is possible.

**B. Delegation of authority**

43. The Director-General will delegate his/her authority to the Executive Secretary of the FAO part of the Secretariat in accordance with the provisions contained in the UNEP-FAO MoU, as well as FAO rules, regulations, policies and procedures, as regularly updated. In particular, pursuant to the UNEP-FAO MoU, the Executive Secretary will represent the Secretariat and carry out its functions, including inter alia, in relation to the following:

- (a) Without prejudice to the provisions of Article 2.10 of the UNEP-FAO MoU, allocation of activities and available funds between the Secretariat offices in Geneva and Rome based on the programme of work and budget approved by the Conference of the Parties;
- (b) Official correspondence and communication on matters relating to the Convention, including with national contact points, Permanent Representatives to FAO and UNEP, relevant national ministries, accredited observers and international organizations, as appropriate;
- (c) Producing documents for the meetings relating to the Convention;
- (d) Arranging meetings relating to the Convention;
- (e) Arrange for the preparation of the budget proposal for the following biennium in accordance with the “Financial Rules for the Conference of the Parties, its subsidiary bodies and the Convention Secretariat”;
- (f) Authorizing travel for Secretariat staff;
- (g) Calls for funds;
- (h) Contracts for consultation services, as appropriate;
- (i) Making necessary arrangement for the selection of staff in accordance with the rules of FAO.

**C. Administrative and programme support costs**

44. Support costs to be levied by FAO in relation to its expenditures will be applied in line with the prevailing support cost of the Organization.

**D. Financial matters and budgets**

45. The financial operations of the FAO part of the Secretariat will be dealt with in accordance with FAO financial rules and regulations.

**E. Performance evaluation and management review**

46. Evaluation of the performance of the Secretariat staff, including the Secretary, of the FAO part of the Secretariat will be conducted in accordance with the relevant rules, regulations policies and procedures of FAO.

**IV. Report**

47. The Executive Director and the Director-General will submit, 90 (ninety) days in advance of each ordinary meeting of the Conference of the Parties, a report on the implementation of this Memorandum of Understanding.

48. The report will provide the Parties to the Convention with detailed information on administration services provided to the Convention by UNEP and include a financial statement on the allocation of PSC between the Secretariat and central administrative services with the understanding that the level of details will be consistent with the needs of the Parties to the Convention and within the procedures applicable to UNEP.

**V. Programmatic relationship**

49. The Conference of the Parties understands that the Convention may provide a context for implementation of certain aspects of the Medium-term Strategy and the programme of work of UNEP, through its Costed Programme of Work, Revised Strategic Framework, the Medium Term Plan, and the Programme of Work and Budget of FAO, and vice versa, subject to the approval of the Conference of the Parties and to the extent consistent with the Convention.

50. The Executive Director will consult with the Executive Secretary on activities which UNEP might undertake in providing programmatic support to the Convention. The Executive Secretary will consult with the Executive Director on activities which might be undertaken within the framework and mandate of the Convention for implementation of certain aspects of the Medium-term Strategy and programme of work of UNEP.

51. The Executive Director and the Executive Secretary will consult with each other in the planning, development and implementation of any projects and programmes that relate to the provision of support for the implementation of the Convention and in any joint funding arrangements for implementing the Convention which are, or are proposed to be, arranged with donors.

52. The Executive Director may call meetings of secretariats of multilateral environmental agreements, as well as joint meetings of all senior staff employed through UNEP, and invite the Executive Secretary to participate in those meetings. The Executive Director may meet the costs of travel and other expenses related to the Executive Secretary's participation in any such meetings.

53. The Conference of the Parties, will be informed by the Executive Secretaries regarding programmatic support referred to in paragraph 50, and about the meetings referred to in paragraph 52.

## VI. Final provisions

54. The present Memorandum of Understanding does not impose, nor is it intended to impose, any legally binding commitments.

55. The present Memorandum of Understanding is entered into without prejudice to any administrative arrangements which might be agreed upon between UNEP, the FAO and the Rotterdam Convention or any other relevant multilateral environmental agreements in the future.

56. This Memorandum of Understanding becomes operative on the last date on which the Conference of the Parties, represented by its President, the Executive Director and the Director-General have signed.

57. This Memorandum of Understanding is to be read in conjunction with the Memorandum of Understanding between the Executive Director and the Director-General concerning the arrangements to perform jointly the Secretariat Functions for the Rotterdam Convention on the Prior Informed Consent Procedure for Certain Hazardous Chemicals and Pesticides in International Trade, as adopted in decision RC-2/5.

58. The present Memorandum of Understanding may, at the request of the Parties to it, be reviewed at any time, including with a view to amending or terminating it. Without prejudice to the rules of procedure for meetings of the Conference of the Parties, such a request, to be made by the Bureau on behalf of the Conference of the Parties, by the Executive Director or the Director-General, will be made at least 4 (four) months in advance and will then be addressed at the next meeting of the Conference of the Parties. Any modifications to, including termination of, the present Memorandum of Understanding will be mutually agreed in writing between the Parties to it.

IN WITNESS WHEREOF, the duly authorized representatives of the Parties to the present Memorandum of Understanding affix their signatures below.

**For the United Nations  
Environment Programme:**

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

\_\_\_\_\_  
Ms. Joyce Msuya  
Acting Executive Director

\_\_\_\_\_  
Mr. José Graziano da Silva  
Director-General

Date: \_\_\_\_\_

Date: \_\_\_\_\_

**For the Conference of the Parties to  
the Rotterdam Convention on the  
Prior Informed Consent Procedure for  
Certain Hazardous Chemicals and  
Pesticides in International Trade:**

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Mr. Osvaldo Álvarez-Pérez  
President

Date: \_\_\_\_\_

## Annex 1 to the Memorandum of Understanding

[English only]

### UNEP's core services in support of the Basel, Rotterdam and Stockholm conventions

The table below provides the list of core administrative and support services provided by United Nations Environment Programme (UNEP) in support of the Basel, Rotterdam and Stockholm (BRS) conventions. Core administrative and support services are those services provided by UNEP against the 33% share of the programme support costs income attributable to all of the trust funds of the BRS conventions. The list of core services is not exhaustive and may include additional core services, as mutually agreed from time to time between UNEP and the Secretariat of the BRS conventions. The table below is without prejudice to the delegation of authority from the Executive Director of UNEP to the Executive Secretary of the BRS conventions.

Service Category	Description
Policy, guidelines and procedures	<p>All policies concerning administrative arrangements are governed by the United Nations General Assembly resolutions and those of United Nations Environment Programme's governing body. United Nations Financial Regulations and Rules supplemented by Multilateral Environmental Agreements' and entities' financial procedures or rules ensure effective and efficient use of resources in accordance with the purposes for which funds are provided, within authorized limits and available income. The United Nations Financial Regulations and Rules also regulate the organization's procurement activities.</p> <p>United Nations Staff Regulations and Rules set the framework within which United Nations Environment Programme's personnel, including different categories of staff members, consultants and independent contractors, are recruited and administered.</p> <p>United Nations Secretariat policies supplement and provide details on the implementation of the resolutions and regulations. They are embodied in United Nations administrative issuances i.e. Secretary-General's Bulletins, Administrative Instructions and Information Circulars which may be further interpreted and translated into guidelines and procedures for day to day operations.</p>
<b>Human Resources</b>	<b>Recruitment, staff administration, training, performance management and medical and counselling services.</b>
<i>Talent Acquisition and Management</i>	Developing staffing plans and implementing related recruitment activities namely classification, vacancy announcement, assessments, evaluation, review and selection.
<i>Staff Administration</i>	On-boarding staff, administering contracts, processing entitlements and benefits, review and update of dependency status, leave records, lateral move, separation from service etc. Administering end-of-service and post-retirement benefits including pension fund deductions and After Service Health Insurance scheme.
<i>Staff development and training</i>	<p>Mandatory training of personnel on issues such as security, ethics and integrity, competency based interviewing skills, management development programme etc.</p> <p>Identify capacity building needs and provide opportunities for continuous learning with a view to build a multi-skilled workforce promoting career development for staff. These include in-house developed training modules on Results Based Management and Gender Mainstreaming, among others. Including the arrangement of training opportunities for UNEP Geneva colleagues.</p>
<i>Performance Management</i>	Implementing and monitoring compliance with performance management policies, process and tools (INSPIRA) to reward/recognize/retain staff and address underperformance. Supporting rebuttal process guidance and conducting training on writing workplans and performance assessments. Managing the Financial Disclosure programme.

<b>Service Category</b>	<b>Description</b>
<i>Medical and Counselling Services</i>	Providing occupational health services with emphasis on preventive health care and emergency response. Also includes professional counselling service to address issues such as stress, burnout, depression etc. UN Cares, the UN system-wide program on HIV, is designed to reduce the impact of HIV in the UN workplace.
Budget and Finance	Preparation, management, oversight and reporting of budgets and financial resources of the governing bodies and donors.
<i>Budgeting / Fund Management</i>	Preparation, presentation and justification of budgets to the governing bodies. Processing budgetary authorizations and financial transactions. Advising staff, management and governing bodies on the use of financial resources.  Creating, maintaining and closing Trust Funds.
<i>General Accounting / Financial Statements</i>	Authority to sign the consolidated financial statements rests with the Executive Director. Extracts from the consolidated statements are signed by UNON.  Maintenance of accounts and preparation of Financial Statements including the Programme Support account. Processing accounting entries/adjustments including donor refunds; year-end accruals; statutory reporting and support to the annual external audit.
<i>Payments / Expenditure</i>	Processing payments to Implementing Partners, consultants, vendors and meeting participants. Monitoring advances and recording expenditures from financial reports received from Implementing Partners.
<i>Payroll</i>	Processing payment of salaries, entitlements and related advances and maintenance of payroll accounts.
<i>Contributions /Cash Management</i>	Authority to accept contributions from the Parties rests with the United Nations Environment Programme Executive Director.  Issuing invoices to Parties, recording and monitoring contribution receivables, processing contributions upon receipt of payments; reconciling applied deposit accounts.
<i>Treasury/Banking/ Investment</i>	Receipt and disbursement of funds, House Bank management, bank reconciliations. Maintenance of banking details for staff, vendors, implementing partners and consultants. Investment of United Nations Environment Programme funds in the right products is managed by UNHQ Treasury.
<i>Oversight</i>	Coordinate internal audit, investigation, inspection and external audit.
<b>Legal</b>	<b>Legal advice, opinions and representation in the Internal Justice System.</b>
<i>Advisory and Representation</i>	Provision of corporate legal advice and institutional support.  Representing the organisation before the Management Evaluation Unit with regards to requests filed by staff members. Representing the organisation at the United Nations Dispute Tribunal (UNDT) and provision of support to the Office of Legal Affairs with regards to appeals filed at the United Nations Appeals Tribunal.  Negotiating settlements of claims; provision of legal support and advice in mediation, conciliation and arbitration.  Legal and institutional support in disciplinary procedures; provision of legal advice in cases of alleged misconduct and relevant investigations.  Reviewing and clearing Host Country Agreements and legal instruments in accordance with the Delegation of Authority Policy and Framework for the Management and Administration of Multilateral Environmental Agreements.  Provision of legal advice on human resources issues e.g., interpretation of the Staff Regulations and Rules, advise on outside activities, separation from employment, settlements.

Service Category	Description
	<p>Coordinating audits, inspections and evaluations undertaken by the Office of Internal Oversight Services.</p> <p>Providing advice on engaging with implementing partners, provision of templates for this purpose.</p>
<b>Support Services</b>	<b>Services to support operations including office space, premises, host country arrangements and protocols.</b>
<i>Contracts and Procurement</i>	<p>Supervising procurement related functions and providing advice on procurement proposals of significant financial or operational impact; reviewing the proposed strategy/approach to best serve office's interests. Providing oversight over the service providers. Representation at the High Level Committee on Management Procurement Network on development of policies and procedures of interest to the office. Liaising with the contracts committee for the preparation and presentation of cases for approval and addressing to follow-up queries. Provision of general contract administration services including amendment, extension or closure.</p>
<i>Inventory / Asset Management</i>	<p>Provision of services to manage inventory of equipment items and assets including bar coding, maintain records and track movement of items; conduct physical inventories; process the disposal of obsolete and unserviceable items.</p>
<i>Travel, Shipping and Visa</i>	<p>Providing advice on developments in Secretariat travel policies and procedures. Processing travel for staff members, consultants and meeting participants for official purposes and staff entitlement related travel; management of travel agent contract and airline negotiations. Shipping services, handled through external vendors under contracts include all aspects of incoming and outgoing official shipments of organizational goods and property as well as staff members' personal effects during recruitment, transfer and separation.</p>
<i>Host Country Relations</i>	<p>In addition to administering the hosting agreement with the country of duty station, the services include re-entry passes of staff and dependents, consultants and interns; duty free import of goods and fuel; tax exemptions; registration of vehicles, issuance/renewal of driving licenses and transfer of ownership; processing special visa request in emergency situations and for VIPs.</p>
<i>Facilities Management</i>	<p>Provision of comfortable and efficient working environment for the staff well as for the visitors by maintaining office premises including gardening and parking areas; utilities' supply and maintenance of security systems.</p>
<i>Mail Pouch</i>	<p>Providing mail, diplomatic pouch and international courier services; dispatching outbound mail; sorting and delivering all incoming mail; advising on different mail services i.e postal, international express courier and diplomatic pouch, including but not limited to cost, transit days, document preparation, etc.</p>
<i>Archives/Document Management</i>	<p>Advising on and overseeing the implementation of policies for the management of archives in accordance with established archival standards and practices.</p> <p>Maintaining and managing archives.</p>
<i>Security and Safety</i>	<p>Protection of UN personnel and property by providing a safe and secure work environment and regular security advisories; issuance of IDs for staff and visitors to the UN offices.</p>
<i>Enterprise Resource Programme (ERP)</i> – <i>Umoja</i> ***	<p>Advising on all aspects of workflow analysis, business process reengineering and organizational transformation.</p> <p>Managing core transformational activities connected to the Umoja implementation and system life cycle. Providing training and guidance on Umoja functionality, access and modality for the execution of administrative processes.</p>
<i>Enterprise Risk Management (ERM) and Internal Controls</i>	<p>Implementation of the United Nations Secretariat ERM policy and framework, its monitoring and development. Advise on developments and activities related to the life cycle of ERM. Liaison directly with the UN Secretariat's Department of Management for all issues relating to ERM and IC implementation and update of the ERM treatment plan.</p>

Service Category	Description
<b>Information and Communications Technology</b>	<b>Computing, telecommunications, office automation, infrastructure support including electronic mail as well as consulting, advisory and help desk services.</b>
<i>ICT Infrastructure and services</i>	Provision of secure infrastructure services such as internet connectivity and WiFi access; local area network and systems directory services; office computer, standard software productivity tools and security software; email, file storage and sharing, print, IP telephony; computer and video conference services. Provision of cloud and on-premise hosting services for websites, software applications, and databases.  Access to corporate internet/intranet and mail systems.
<i>Software development and maintenance</i>	Providing advice from tactical, operational and strategic aspects with consideration to the specific needs of the office. Making recommendations on cost effective options e.g. outsourcing or in-house IT services. Provision of customised / off the shelf software applications to support the specific needs of office.
<i>Help desk services</i>	Provision of local and global services to staff in resolving various IT related issues for the UN enterprise applications.

\*\*\* Umoja project and maintenance costs are apportioned based on expenditure incurred and met by respective divisions and MEAs as common costs. These include service fees and costs associated with Umoja (such as license fees), requests raised through Ineed and any administrative costs associated with services provided by UNON and UNOG especially those that were delivered through OSC (travel, payment of invoices, HR/consultant services)

## Annex 2 to the Memorandum of Understanding

[English only]

**Memorandum of Understanding between  
the Executive Director of the United Nations Environment Programme (UNEP)  
and the Director-General of the Food and Agriculture Organization  
of the United Nations (FAO)  
concerning the arrangements to perform jointly the Secretariat Functions  
for the Rotterdam Convention on the Prior Informed Consent Procedure for  
Certain Hazardous Chemicals and Pesticides in International Trade**

The Director-General of FAO and the Executive Director of UNEP:

*Noting* that FAO and UNEP have closely cooperated in the operation of the Prior Informed Consent (PIC) procedure, in particular through the memorandum of understanding concluded in November 1992 concerning the cooperation in the implementation of the joint programme for the operation of the prior informed consent procedure as well as through the memorandum concluded in January 1997 for the negotiation of an international legally binding instrument for the application of the prior informed consent procedure for certain hazardous chemical, including pesticides, in international trade,

*Whereas* the FAO Conference (1997) and the UNEP Governing Council (1998) authorized the participation of the UNEP and FAO Secretariat in an Interim Secretariat and in a Secretariat to the Rotterdam Convention on the Prior Informed Consent Procedure for Certain Hazardous Chemicals and Pesticides in International Trade (hereinafter referred to as the Convention), provided that such arrangements were satisfactory to the Executive Director of UNEP and the Director-General of FAO and that costs additional to the implementation of the voluntary procedure be met through extra budgetary resources,<sup>1</sup>

*Whereas*, in accordance with paragraph 3 of Article 19 of the Convention, "the secretariat functions for this Convention shall be performed jointly by the Executive Director of UNEP and the Director-General of FAO, subject to such arrangements as shall be agreed between them and approved by the Conference of the Parties",

*Whereas* the United Nations General Assembly, in its resolution 53/187 of 15 December 1998, welcomed the adoption by the Conference of the Plenipotentiaries, at Rotterdam, Netherlands, on 11 September 1998, of the Convention, and took note of the fact that the functions of the secretariat of the Convention were jointly performed by [the Director-General of] FAO and [the Executive Director of] UNEP as an interim arrangement pending the final decision to be taken by the parties to the Convention on the location of the secretariat,

*Whereas* the FAO Conference, at its Thirtieth Session in 1999, expressed its satisfaction at the successful conclusion of the negotiations and the adoption of the Convention, favourably viewed the cooperation of FAO and UNEP both in the negotiations of the Convention and the joint provision of the Interim Secretariat, and

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<sup>1</sup> See Report of Twenty-ninth Session of the FAO Conference, 1997, Resolution 4/97, para. 69. See also Decision SS.V/5, Fifth Special Session of the UNEP Governing Council, 1998.

supported the primary role of FAO and UNEP in the Interim Secretariat and the Convention Secretariat,<sup>2</sup>

*Whereas* the UNEP Governing Council, at its twentieth session in 1999, welcomed the adoption of the Convention, and authorized the Executive Director of UNEP, together with the Director-General of FAO, to convene such further sessions of the Intergovernmental Negotiating Committee as are necessary to oversee the operation of the interim PIC procedure and to prepare for and service the Conference of the Parties until the end of the fiscal year in which the first meeting of the Conference of the Parties takes place,

*Whereas* the Conference of the Parties to the Convention, at its first meeting, in its decision RC-1/9 invited "*the Executive Director of the United Nations Environment Programme and the Director General of the Food and Agriculture Organization of the United Nations to make arrangement for the performance of the Secretariat functions, possibly based on the same elements as in the earlier arrangements*",

HAVE AGREED AS FOLLOWS:

## **1. General Principles**

1.1 The functions of the Secretariat are those set out in paragraph 2 of Article 19 and other relevant provisions of the Convention. These include, among others, the responsibility to carry out requests to the Secretariat from the Conference of the Parties.

1.2 Pursuant to the functions of the Secretariat, and the provisions of this Memorandum of Understanding, the Executive Director of UNEP and the Director-General of FAO will jointly perform the secretariat responsibilities under the Convention.

1.3 Each organization will assume the responsibilities as described in this Memorandum of Understanding on the basis of their areas of competence, comparative strengths and experience, FAO having primary responsibility for pesticides and UNEP taking primary responsibility for other chemicals, in order to facilitate the mobilization by the Secretariat of the full range of scientific, technical and economic expertise required by the Convention.

1.4 As needed, the Executive Director of UNEP and the Director-General of FAO will assist each other in carrying out the indicated responsibilities, in support of the effective and efficient performance of the secretariat responsibilities.

## **2. Working Mechanisms**

2.1 In accordance with decision RC-1/12 of the First Meeting of the Conference of the Parties, the Secretariat is located in Geneva and Rome. The UNEP part of the Secretariat is based in Geneva and the FAO part of the Secretariat is based in Rome.

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<sup>2</sup> See Report of the Thirtieth Session of FAO Conference, para. 72, 76.

2.2 In accordance with this same decision, the headquarters agreements already in force with Italy (FAO Headquarters Agreement in Rome) and Switzerland (United Nations Headquarters Agreement in Geneva) continue to apply to the Secretariat.

2.3 The Executive Director of UNEP and the Director-General of FAO, or their designated representatives, will share the overall responsibility for carrying out the responsibilities indicated in this Memorandum of Understanding in a cooperative manner.

2.4 The Executive Director of UNEP and the Director-General of FAO will continue to provide and maintain staff and resources in line with the decisions and authorizations of their respective governing bodies, and the budgets approved by the Conference of the Parties.

2.5 The position of Executive Secretary of the Secretariat is shared between the Executive Director of UNEP and the Director-General of FAO, and the individuals acting on their behalf in each organization will coordinate with each other in carrying out their responsibilities. These individuals are referred to as "Executive Secretary". The Executive Secretary located in Geneva will be appointed by the Executive Director of UNEP and the Executive Secretary located in Rome will be appointed by the Director-General of FAO, in consultation with the Conference of the Parties through the Bureau.

2.6 The Executive Director of UNEP and the Director-General of FAO delegate their authority to the Executive Secretary from UNEP and FAO, to act on their behalf, to represent the Secretariat and to carry out its functions, including *inter alia* in relation to the following:

- a) Without prejudice to the provisions of Article 2.10 below, allocation of activities and available funds between the Secretariat offices in Geneva and Rome based on the programme of work and budget approved by the Conference of the Parties.
- b) Official correspondence and communication on matters relating to the Convention, including with national contact points, Permanent Representatives to FAO and UNEP, relevant national ministries, accredited observers and international organizations, as appropriate;
- c) Producing documents for the meetings relating to the Convention;
- d) Arranging meetings relating to the Convention;
- e) Arrange for the preparation of the budget proposal for the following biennium in accordance with the "Financial Rules for the Conference of the Parties, its subsidiary bodies and the Convention Secretariat";
- f) Authorizing travel for Secretariat staff;
- g) Calls for funds;
- h) Contracts for consultation services, as appropriate;
- i) Making necessary arrangement for the selection of staff in accordance with the rules of UNEP and FAO.

2.7 The Executive Director of UNEP and the Director-General of FAO may conclude cooperative arrangements with other organizations in accordance with decisions of the Conference of the Parties.

2.8 The staff within the respective Secretariat offices in Geneva and Rome will continue to coordinate with each other to carry out the responsibilities indicated in this Memorandum of Understanding, with due regard to the efficient and effective use of the available resources. Among other things, the respective secretariat offices will:

- a) Consult with each other on an ongoing basis, including through joint meetings and other means;
- b) Develop and mutually agree on overall work plans for purposes of coordinating work;
- c) Consult on decisions relating to the structure and, as appropriate, the selection of staff in their respective offices, to promote efficiency in carrying out Secretariat responsibilities;
- d) Establish an appropriate channel of official communication with Parties and others, under the overall guidance of the Conference of the Parties and in accordance with the Rules of Procedure of the Conference of the Parties;
- e) Coordinate closely in entering into any administrative and contractual arrangements, in line with paragraph 2(d) of Article 19 of the Convention, and, more generally in carrying out other Secretariat functions indicated in paragraph 2 of Article 19 of the Convention.

2.9 In appointing the staff, subject to the paramount importance of securing the highest standards of efficiency and of technical competence, the Executive Director of UNEP and the Director-General of FAO shall pay due regard to the importance of selecting personnel recruited on as wide a geographical basis as is possible.

2.10 The Executive Director of UNEP and the Director-General of FAO shall distribute available staff and resources between Geneva and Rome, with a view to ensuring appropriate distribution of staff, resources and workload between the two duty stations, while taking into account the relative strengths of UNEP and FAO. Staff located in Geneva shall be employed by the Executive Director of UNEP and staff located in Rome shall be employed by the Director-General of FAO.

2.11 Activities to be funded under the trust fund(s) established under the Convention will be considered in line with Article 3 below, and will be mutually agreed by UNEP and FAO.

2.12 In general, the FAO part of the Secretariat will have lead responsibility for matters relating to pesticides, and the UNEP part of the Secretariat will have lead responsibility for matters relating to industrial chemicals.

2.13 In general, and subject to availability of resources, FAO will provide conference services for meetings organized in Rome, and UNEP will provide conference services for meetings organized in Geneva. If there is an offer by a Government to host a session elsewhere, UNEP will, subject to availability of

resources, provide conference services, including the negotiation of a host government agreement with the Government, in consultation with FAO.

2.14 The Secretariat will continue to take advantage of opportunities to draw upon resources and expertise within other parts of its own organizations (i.e. FAO and UNEP), and to build synergies with other relevant international organizations, in accordance with its mandate.

### 3. Administration of Trust Fund(s)

3.1 The Executive Director of UNEP and the Director-General of FAO will receive and administer the funds for the purpose of the Convention in accordance with rules and regulations of their respective organizations. For this purpose, they will establish appropriate trust funds.

3.2 The Trustee of those trust funds shall be reimbursed for the services provided to the Conference of the Parties, its subsidiary bodies and the Convention Secretariat in accordance with Rule 22 of the "Financial Rules for the Conference of the Parties, its subsidiary bodies and the Convention Secretariat", adopted by the Conference of the Parties at its First Meeting in its decision RC/1/4.

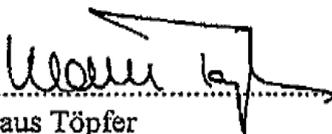
3.3 Further details on the management of the trust funds under the Convention will be agreed by the Executive Director of UNEP and the Director-General of FAO in a separate document.

### 4. Final clauses

4.1 This Memorandum of Understanding shall be deemed to constitute an agreement between the Director-General of FAO and the Executive Director of UNEP and shall enter into force upon signature by them or their authorized representatives, subject to approval by the Conference of the Parties. Pending such approval, this Memorandum of Understanding will be applied *ad interim*.

4.2 This Memorandum of Understanding may be amended or terminated as agreed between the Director-General of FAO and the Executive Director of UNEP, subject to approval by the Conference of the Parties.

Signed: .....



Klaus Töpfer  
Executive Director  
United Nations Environment Programme  
(UNEP)

Signed: .....



Jacques Diouf  
Director-General  
Food and Agriculture Organization  
of the United Nations (FAO)

Date: .....

28.11.2005

Date: .....

20. X. 2005

## **RC-9/15: Dates and venue of the next meetings of the conferences of the Parties to the Basel, Rotterdam and Stockholm conventions**

### *The Conference of the Parties*

1. *Decides* to accept with thanks the offer by the Government of Kenya to host the next meetings of the conferences of the Parties to the Basel Convention on the Control of Transboundary Movements of Hazardous Wastes and Their Disposal, the Rotterdam Convention on the Prior Informed Consent Procedure for Certain Hazardous Chemicals and Pesticides in International Trade and the Stockholm Convention on Persistent Organic Pollutants in 2021 at the headquarters of the United Nations Environment Programme in Nairobi, and, accordingly, agrees to convene these meetings back to back, from 17 to 28 May 2021 in Nairobi, subject to the conclusion of a host country agreement between the host Government and the Secretariat;

2. *Also decides* that the meetings will include joint sessions, where appropriate, on joint issues;

3. *Further decides* that the meetings will include a high-level segment of no more than one day's duration;

4. *Requests* the Executive Secretary, in order to assist Parties in preparing for the back-to-back meetings, to support, subject to the availability of resources, regional meetings to assist regional preparatory processes, coordinated with other regional meetings;

5. *Invites* Parties to submit offers to host the 2023 meetings of the conferences of the Parties, if possible by 31 March 2021, for consideration during the meetings of the conferences of the Parties in 2021.

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## **RC-9/16: Existing United Nations guidelines on the mobilization of resources from non-State actors**

*The Conference of the Parties*

*Requests* the Secretariat to assess the relevance for the Basel Convention on the Control of Transboundary Movements of Hazardous Wastes and Their Disposal, the Rotterdam Convention on the Prior Informed Consent Procedure for Certain Hazardous Chemicals and Pesticides in International Trade and the Stockholm Convention on Persistent Organic Pollutants of existing guidelines developed by the United Nations system on the mobilization of resources from non-State actors, such as private-sector entities, non-governmental organizations and development banks, to inform possible future arrangements relating to this matter, for consideration by the Conference of the Parties at its next meeting.

## RC-9/17: Programme of work and budget for the Rotterdam Convention for the biennium 2020–2021

*The Conference of the Parties,*

*Taking note* of the financial reports on the Rotterdam Convention trust funds for 2018 and estimated expenditures for 2019 from the general trust fund for the operational budget of the Rotterdam Convention on the Prior Informed Consent Procedure for Certain Hazardous Chemicals and Pesticides in International Trade (Rotterdam Convention general trust fund),<sup>1</sup>

### I

#### Rotterdam Convention general trust fund

1. *Approves* the programme budget for the Rotterdam Convention for the biennium 2020–2021 of 4,163,710 United States dollars for 2020 and 4,163,710 United States dollars for 2021 for the purposes set out in table 1 of the present decision;
2. *Authorizes* the executive secretaries of the Rotterdam Convention to make commitments in an amount up to the approved operational budget, drawing upon available cash resources;
3. *Decides* to maintain the working capital reserve at the level of 15 per cent of the annual average of the biennial operational budgets for the biennium 2020–2021;
4. *Invites* the governing bodies of the United Nations Environment Programme and the Food and Agriculture Organization of the United Nations to continue their financial and other support for the operation of the Rotterdam Convention and its Secretariat in the biennium 2020–2021;
5. *Welcomes* the continued annual contributions by Italy and Switzerland, the host countries of the Secretariat, of 600,000 euros each to the Secretariat to offset planned expenditures;
6. *Notes* that, of Switzerland's annual host country contribution of 600,000 euros, 50 per cent will be apportioned to the Rotterdam Convention general trust fund and 50 per cent to the special trust fund for the Rotterdam Convention on the Prior Informed Consent Procedure for Certain Hazardous Chemicals and Pesticides in International Trade (Rotterdam Convention special trust fund for voluntary contributions) for 2020–2021;
7. *Adopts* the indicative scale of assessments for the apportionment of expenses for the biennium 2020–2021 set out in table 2 of the present decision, and authorizes the executive secretaries, consistent with the Financial Regulations and Rules of the United Nations, to adjust the scale to include all Parties for which the Convention enters into force before 1 January 2020 for 2020 and before 1 January 2021 for 2021;
8. *Recalls* that contributions to the Rotterdam Convention general trust fund are expected by 1 January of the year for which those contributions have been budgeted, urges Parties to pay their contributions promptly, encourages Parties in a position to do so to pay their contributions by 16 October 2019 for the calendar year 2020 and by 16 October 2020 for the calendar year 2021, and requests the Secretariat to notify Parties of the amounts of their contributions as early as possible in the year preceding the year in which they are due;
9. *Reiterates the ongoing concern* that a number of Parties have not paid their contributions to the Rotterdam Convention general trust fund for 2018 and prior years, contrary to the provisions of paragraph 3 (a) of rule 5 of the financial rules, and urges Parties to pay their outstanding contributions in full as soon as possible;
10. *Requests* the Secretariat to work directly with the permanent missions, ministries of foreign affairs and focal points of the Parties in this situation so that they fully pay their arrears and assessed contributions as soon as possible, and to present at regional meetings information on the current situation<sup>2</sup> regarding arrears and their consequences;
11. *Requests* the Executive Director of the United Nations Environment Programme to continue to closely work with the Executive Secretary of the Basel Convention on the Control of Transboundary Movements of Hazardous Wastes and Their Disposal, the Rotterdam Convention and

<sup>1</sup> UNEP/FAO/RC/COP.9/INF/38/Rev.1.

<sup>2</sup> For the present decision, "current situation" consists of the current status of arrears, difficulties with paying assessed contributions due to restrictions that go beyond national jurisdiction, and the status of any payment plans agreed on with the Secretariat.

the Stockholm Convention on Persistent Organic Pollutants to improve the timely communication of information on the payment of contributions, including arrears;

12. *Recalls* the provisions of paragraph 3 (e) of rule 5 of the financial rules on outstanding contributions and paragraph 11 of decision RC-8/17, and decides to continue the practice that, with regard to contributions due from 1 January 2005 onwards, no representative of any Party whose contributions are in arrears for two or more years shall be eligible to become a member of the Bureau of the Conference of the Parties or a member of any subsidiary body of the Conference of the Parties, provided, however, that this shall not apply to Parties that are least developed countries or small island developing States or to any Party that has agreed on and is respecting a schedule of payments in accordance with the financial rules;

13. *Also recalls* paragraph 12 of decision RC-8/17, and decides to continue the practice that no representative of any Party whose contributions are in arrears for four or more years and that has not agreed on or is not respecting a schedule of payments implemented in accordance with paragraph 3 (d) of rule 5 of the financial rules shall be eligible to receive financial support for attendance at intersessional workshops or other informal meetings, as arrears that have been outstanding for more than four years must be treated as 100 per cent doubtful debts under the International Public Sector Accounting Standards;

14. *Notes* the efforts of the executive secretaries and the President of the Conference of the Parties, who through a jointly signed letter invited the ministers for foreign affairs of Parties with contributions in arrears to take timely action to rectify those arrears, requests that this practice continue, and thanks those Parties that have responded in a positive manner by paying their outstanding contributions;

15. *Adopts* the staffing table for the Secretariat for the biennium 2020–2021 used for costing purposes to set the overall budget, which is set out in table 3 of the present decision;

16. *Authorizes* the executive secretaries to continue to determine the staffing levels, numbers and structure of the Secretariat in a flexible manner, provided that positions remain at the same level or become lower, that the executive secretaries remain within the overall cost of the staff numbers set out in table 3 of the present decision for the biennium 2020–2021, in line with the recommendation of the Office of Internal Oversight Services,<sup>3</sup> and that it leads to no additional budget obligations being incurred beyond that biennium;

17. *Requests* the executive secretaries to report to the Conference of the Parties at its tenth meeting on the level of positions filled against the approved staffing table;

18. *Authorizes* the executive secretaries, on an exceptional basis, to draw down from the available surplus of the Rotterdam Convention general trust fund the amount of 11,747 United States dollars in 2020–2021, for specified activities listed in table 4 of the present decision;

## II

### **Rotterdam Convention special trust fund for voluntary contributions**

19. *Notes* the funding estimates included in table 1 of the present decision for activities under the Convention to be financed from the Rotterdam Convention special trust fund for voluntary contributions in the amount of 2,233,223 United States dollars for 2020 and 2,233,223 United States dollars for 2021;

20. *Notes* that the Rotterdam Convention special trust fund for voluntary contributions requirement presented in the budget represents the Secretariat's best efforts to be realistic and reflects priorities agreed upon by all Parties, and urges Parties, and invites non-Parties and others, to make voluntary contributions to the Rotterdam Convention special trust fund so as to encourage contributions from donors;

21. *Invites* Switzerland to include in its contribution to the Rotterdam Convention special trust fund for voluntary contributions, referred to in paragraph 6 of the present decision, support for, among other things, the participation of developing-country Parties, in particular least developed countries and small island developing States, and Parties with economies in transition, in meetings of the Convention and joint activities among the Basel, Rotterdam and Stockholm conventions;

<sup>3</sup> Office of Internal Oversight Services, Internal Audit Division, Report 2014/024, available at <https://oios.un.org/audit-reports>.

22. *Urges* Parties, and invites others in a position to do so, to contribute urgently to the Rotterdam Convention special trust fund for voluntary contributions with a view to ensuring the full and effective participation of developing-country Parties, in particular least developed countries and small island developing States, and Parties with economies in transition, in the meetings of the Conference of the Parties;

23. *Requests* the Executive Secretary of the part of the Secretariat administered by the United Nations Environment Programme in Geneva, in line with decision 3/3 on the management of trust funds and earmarked contributions adopted by the United Nations Environment Assembly of the United Nations Environment Programme, in consultation with the relevant Parties and/or donors, as appropriate and in accordance with the terms of the respective agreements/funds, to reassign the balances in inactive trust funds when the activities for which they were established have ended, with a view to supporting the implementation of appropriate activities of the programme of work funded by voluntary funds;

### III

#### Preparations for the next biennium

24. *Decides* that the two trust funds for the Rotterdam Convention shall be continued until 31 December 2021, and requests the Executive Director of the United Nations Environment Programme to extend them for the biennium 2020–2021, subject to the approval of the United Nations Environment Assembly of the United Nations Environment Programme;

25. *Notes* the efforts since 2012 to enhance efficiency in the use of financial and human resources in the Secretariat, and encourages the executive secretaries to continue such efforts in the future work of the Secretariat;

26. *Requests* the executive secretaries to prepare a budget for the biennium 2022–2023, for consideration by the Conference of the Parties at its tenth meeting, explaining the key principles, assumptions and programmatic strategy on which the budget is based and presenting expenditures for the biennium 2020–2021 in a programmatic format;

27. *Also requests* the executive secretaries to determine the staffing levels, numbers and structure of the Secretariat in a staffing table and reflect the total actual costs in the budgets of the conventions for the biennium 2022–2023;

28. *Notes* the need to facilitate priority-setting by providing Parties with timely information on the financial consequences of various options and, to that end, requests the executive secretaries to include in the proposed operational budget for the biennium 2022–2023 two alternative funding scenarios that take account of any efficiencies identified as a result of paragraph 25 of the present decision and are based on:

(a) Their assessment of the required changes in the operational budget, which should not exceed a 5 per cent increase over the 2020–2021 level in nominal terms, to finance all proposals before the Conference of the Parties that have budgetary implications;

(b) Maintaining the operational budget at the 2020–2021 level in nominal terms;

29. *Requests* the Secretariat, in collaboration with the Food and Agriculture Organization of the United Nations, to report to the Conference of the Parties which activities were financed from the Food and Agriculture Organization of the United Nations contribution in the implementation of the 2020–2021 programme of work and to identify which activities are going to be implemented, funded or co-funded from that contribution in the 2022–2023 programme of work and budget;

30. *Requests* the executive secretaries, at the tenth meeting of the Conference of the Parties, to provide, where relevant, cost estimates for actions that have budgetary implications that are not foreseen in the draft programme of work but are included in proposed draft decisions before the adoption of those decisions by the Conference of the Parties;

31. *Stresses* the need to ensure that the proposal for the 2022–2023 Rotterdam Convention special trust fund requirement presented in the budget is realistic and represents the agreed priorities of all Parties, so as to encourage voluntary contributions from donors.

Table 1  
**Programme budget, reserves and financing for the 2020–2021 biennium<sup>4</sup>**

(United States dollars)

Activity	General Trust Funds			Voluntary Trust Funds		
	Basel (BCL)	Rotterdam (ROL)	Stockholm (SCL)	Basel (BDL)	Rotterdam (RVL)	Stockholm (SVL)
1 Basel COP	566,286			1,132,379		
2 Rotterdam COP		566,286			1,132,379	
3 Stockholm COP			566,286			1,132,379
4 Basel OEWG	344,146			594,160		
5 Rotterdam CRC		474,370			102,200	
6 Stockholm POPRC			912,722			100,560
7 Basel, Rotterdam, Stockholm Bureaux	42,865	26,491	37,390			
10 Basel ICC	38,346			141,402		
12 Support for Scientific Bodies				40,000	40,000	40,000
13 Technical Assistance and Capacity Development	10,000	10,000	10,000	622,979	522,960	682,959
14 Basel Training and Capacity Development				1,460,000		
15 Rotterdam Training and Capacity Development					1,100,000	
16 Stockholm Training and Capacity Development			50,000			1,100,000
18 Partnerships				1,250,000	300,000	45,000
19 Basel and Stockholm Support for Regional Centres				344,150		344,150
20 Basel Scientific Support	336,250		20,000	355,000		
21 Rotterdam Scientific Support		60,000			105,700	
22 Stockholm Scientific Support			145,000			292,000
23 Stockholm Effectiveness Evaluation and GMP			60,000			420,000
24 Basel and Stockholm National Reporting	40,000		70,000	90,000		10,000
25 Clearing House Mechanism (*joint activities)	42,705	92,792	42,703	83,334	83,332	83,334
26 Publications	23,782	23,732	23,782	54,618	54,518	54,618
27 Communication, Outreach and Public Awareness	8,834	8,833	8,833	54,000	54,000	54,000
28 Executive Direction, Management and Administration	200,774	213,844	217,181			
29 International Cooperation	3,333	3,333	3,334			
30 Resource Mobilization and Financial Mechanisms (*)			165,000	12,000	12,000	97,000
32 Basel Legal and Policy Activities				763,914		
33 Legal and Policy Activities				50,000		
34 Basel Country Led Initiative (ESM and Further Legal Clarity)				529,840		
35 Office Maintenance	359,340	209,670	359,340			
36 ICT Services	100,000	80,000	100,000			
Staffing	6,478,278	5,600,047	7,774,766	445,518	445,518	445,518
Total approved Programme of Work (excl. PSC)	8,594,940	7,369,398	10,566,338	8,023,294	3,952,607	4,901,518
Programme Support Costs (PSC) 13%	1,117,342	958,022	1,373,624	1,043,028	513,839	637,197
Total approved Programme of Work (incl. PSC)	9,712,282	8,327,420	11,939,962	9,066,322	4,466,446	5,538,715
(*) Specific activities earmarked to be funded from General Trust Fund provisional cash balance/surpluses (excluding PSC). See table 4 for details.	21,353	10,396	186,352	-	-	-
For reference only:						
Total modified (*) to reflect utilisation of cash balance/surpluses (excl. PSC)	8,573,588	7,359,002	10,379,987	8,023,294	3,952,607	4,901,518
Programme Support Costs 13%	1,114,566	956,670	1,349,398	1,043,028	513,839	637,197
Total modified (*) to reflect utilisation of cash balance/surpluses (incl. PSC)	9,688,154	8,315,672	11,729,385	9,066,322	4,466,446	5,538,715

Note:

The figures in the table above are based on detailed budget which contains breakdowns at component/sub-activity levels and decimals have been rounded up.

<sup>4</sup> Table 1 is presented in English only and without formal editing.

	<i>Basel<sup>c</sup></i>	<i>Rotterdam<sup>c</sup></i>	<i>Stockholm<sup>c</sup></i>	<i>Total</i>
	<i>2020–2021</i>	<i>2020–2021<sup>1</sup></i>	<i>2020–2021</i>	<i>2020–2021<sup>1</sup></i>
<b>Approved budgets for 2020–2021</b>				
Proposed Budget Direct Costs 2020-2021	8,594,940	7,369,398	10,566,338	26,530,676
Programme Support Costs (13%)	1,117,342	958,022	1,373,624	3,448,988
<b>Total Operational Budget 2020-2021</b>	<b>9,712,282</b>	<b>8,327,420</b>	<b>11,939,962</b>	<b>29,979,664</b>
Current Level of the Working Capital Reserve (15%)	722,615	617,933	868,667	2,209,215
Required Level of the Working Capital Reserve (15%)	728,421	624,557	895,497	2,248,475
<b>Change in the Working Capital Reserve</b>	<b>5,806</b>	<b>6,624</b>	<b>26,830</b>	<b>39,260</b>
Current Level of the Rotterdam Special Contingency Reserve	–	292,540	–	292,540
Required level of the Rotterdam Special Contingency Reserve	–	330,318	–	330,318
<b>Change in the Rotterdam Special Contingency Reserve (adjustment of account for fluctuations in salary scales)</b>	<b>–<sup>1</sup></b>	<b>37,778</b>	<b>–</b>	<b>37,778</b>
<b>Total Resources Required for 2020-2021</b>	<b>9,718,088</b>	<b>8,371,822</b>	<b>11,966,792</b>	<b>30,056,702</b>
<b>Proposed funding of the 2020-2021 Budget</b>				
Draw down from the provisional cash balance 31.12.2019 (Act 25 and Act 30.2)	24,129	11,747	210,578	246,454
Funded from the Host Country Contributions of Switzerland (excluding Swiss assessed contribution) 2,4,5,6	–	668,896	1,808,075	2,476,971
Funded from the Host Country Contribution of Italy 3,5	–	1,337,793	–	1,337,793
<b>Funded from the Assessed Contributions of Parties</b>	<b>9,963,959</b>	<b>6,353,385</b>	<b>9,948,139</b>	<b>25,995,484</b>

<sup>1</sup> The amount of the special contingency reserve has been modified to reflect the increase in staff costs between 2018–2019 and 2020–2021 for Rome-based staff who are provided by the Food and Agriculture Organization of the United Nations (FAO) as an in-kind contribution to the Rotterdam Convention.

<sup>2</sup> Switzerland's host country contribution to the Rotterdam Convention is €1,200,000 for the biennium, of which 50 per cent, or €600,000, is allocated to the general trust fund and 50 per cent, or €600,000, is allocated to the trust fund for voluntary contributions and converted into United States dollars.

<sup>3</sup> Italy's host country contribution to the Rotterdam Convention General Trust Fund is €1,200,000 for the biennium.

<sup>4</sup> Switzerland's host country contribution to the Stockholm Convention is CHF 4,000,000 for the biennium, of which 50 per cent, or CHF 2,000,000, is allocated to the general trust fund, and 50 per cent, or CHF 2,000,000, is allocated to the trust fund for voluntary contributions. The contribution of CHF 2,000,000 for the biennium to the general trust fund is equal to \$1,808,075 and includes Switzerland's assessed contribution to the Stockholm Convention of \$150,788 (\$75,394 per annum).

<sup>5</sup> Host country contributions for the Rotterdam Convention are pledged in euros and converted into United States dollars using the United Nations operational rate of exchange of 1 United States dollar = 0.897 euros for May 2019.

<sup>6</sup> Host country contributions for the Stockholm Convention are pledged in Swiss francs and converted into United States dollars using the United Nations operational rate of exchange of 1 United States dollar = 1.021 Swiss francs for May 2019.

Table 2  
Assessed contributions apportioned to Parties to the Basel, Rotterdam and Stockholm conventions for the 2020–2021 biennium<sup>5</sup>

(United States dollars)

Party		United Nations Secretariat scale		Basel Convention (BCL)		Rotterdam Convention (ROL)			Stockholm Convention (SCL)		
		United Nations scale per cent	No.	Basel Convention adjusted scale per cent	Average <u>annual</u> contribution for biennium	Rotterdam Convention adjusted scale per cent	Average <u>annual</u> contribution for biennium	No.	Stockholm Convention adjusted scale per cent	Average <u>annual</u> contribution for biennium	
		(1)	(2)	(3)	(4)	(3)	(4)	(3)	(4)		
		Per cent	No.	Per cent	United States dollars	No.	Per cent	United States dollars	No.	Per cent	United States dollars
1	Afghanistan	0.007	1	0.009	424	1	0.010	318	1	0.010	497
2	Albania	0.008	2	0.010	485	2	0.010	318	2	0.010	497
3	Algeria	0.138	3	0.173	8 364	–	n.a.	n.a.	3	0.182	9 039
4	Andorra	0.005	4	0.006	303	–	n.a.	n.a.	–	n.a.	n.a.
5	Angola	0.010	5	0.010	485	–	n.a.	n.a.	4	0.010	497
6	Antigua and Barbuda	0.002	6	0.003	121	3	0.010	318	5	0.010	497
7	Argentina	0.915	7	1.144	55 459	4	1.150	36 521	6	1.205	59 935
8	Armenia	0.007	8	0.009	424	5	0.010	318	7	0.010	497
9	Australia	2.210	9	2.764	133 951	6	2.777	88 208	8	2.910	144 762
10	Austria	0.677	10	0.847	41 034	7	0.851	27 021	9	0.892	44 346
11	Azerbaijan	0.049	11	0.061	2 970	–	n.a.	n.a.	10	0.065	3 210
12	Bahamas	0.018	12	0.023	1 091	–	n.a.	n.a.	11	0.024	1 179
13	Bahrain	0.050	13	0.063	3 031	8	0.063	1 996	12	0.066	3 275
14	Bangladesh	0.010	14	0.010	485	–	n.a.	n.a.	13	0.010	497
15	Barbados	0.007	15	0.009	424	–	n.a.	n.a.	14	0.010	497
16	Belarus	0.049	16	0.061	2 970	–	n.a.	n.a.	15	0.065	3 210
17	Belgium	0.821	17	1.027	49 762	9	1.032	32 769	16	1.081	53 778
18	Belize	0.001	18	0.001	61	10	0.010	318	17	0.010	497
19	Benin	0.003	19	0.004	182	11	0.010	318	18	0.010	497
20	Bhutan	0.001	20	0.001	61	–	n.a.	n.a.	–	n.a.	n.a.
21	Bolivia (Plurinational State of)	0.016	21	0.020	970	12	0.020	639	19	0.021	1 048
22	Bosnia and Herzegovina	0.012	22	0.015	727	13	0.015	479	20	0.016	786
23	Botswana	0.014	23	0.018	849	14	0.018	559	21	0.018	917
24	Brazil	2.948	24	3.686	178 682	15	3.704	117 664	22	3.882	193 103

<sup>5</sup> Table 2 is presented in English only and without formal editing.

		<i>United Nations Secretariat scale</i>		<i>Basel Convention (BCL)</i>		<i>Rotterdam Convention (ROL)</i>		<i>Stockholm Convention (SCL)</i>			
<i>Party</i>	<i>United Nations scale per cent</i>	<i>Basel Convention adjusted scale per cent</i>	<i>Average annual contribution for biennium</i>	<i>Rotterdam Convention adjusted scale per cent</i>	<i>Average annual contribution for biennium</i>	<i>Stockholm Convention adjusted scale per cent</i>	<i>Average annual contribution for biennium</i>				
	(1)	(2)	(4)	(3)	(4)	(3)	(4)	(3)	(4)		
	<i>Per cent</i>	<i>No.</i>	<i>Per cent</i>	<i>United States dollars</i>	<i>No.</i>	<i>Per cent</i>	<i>United States dollars</i>	<i>No.</i>	<i>Per cent</i>	<i>United States dollars</i>	
25	Brunei Darussalam	0.025	25	0.031	1 515	–	n.a.	n.a.	–	n.a.	n.a.
26	Bulgaria	0.046	26	0.058	2 788	16	0.058	1 836	23	0.061	3 013
27	Burkina Faso	0.003	27	0.004	182	17	0.010	318	24	0.010	497
28	Burundi	0.001	28	0.001	61	18	0.010	318	25	0.010	497
29	Cabo Verde	0.001	29	0.001	61	19	0.010	318	26	0.010	497
30	Cambodia	0.006	30	0.008	364	20	0.010	318	27	0.010	497
31	Cameroon	0.013	31	0.016	788	21	0.016	519	28	0.017	852
32	Canada	2.734	32	3.419	165 711	22	3.435	109 123	29	3.600	179 086
33	Central African Republic	0.001	33	0.001	61	–	n.a.	n.a.	30	0.010	497
34	Chad	0.004	34	0.005	242	23	0.010	318	31	0.010	497
35	Chile	0.407	35	0.509	24 669	24	0.511	16 245	32	0.536	26 660
36	China	12.005	36	15.012	727 639	25	15.084	479 158	33	15.809	786 366
37	Colombia	0.288	37	0.360	17 456	26	0.362	11 495	34	0.379	18 865
38	Comoros	0.001	38	0.001	61	–	n.a.	n.a.	35	0.010	497
39	Congo	0.006	39	0.008	364	27	0.010	318	36	0.010	497
40	Cook Islands	0.001	40	0.001	61	28	0.010	318	37	0.010	497
41	Costa Rica	0.062	41	0.078	3 758	29	0.078	2 475	38	0.082	4 061
42	Côte d'Ivoire	0.013	42	0.016	788	30	0.016	519	39	0.017	852
43	Croatia	0.077	43	0.096	4 667	31	0.097	3 073	40	0.101	5 044
44	Cuba	0.080	44	0.100	4 849	32	0.101	3 193	41	0.105	5 240
45	Cyprus	0.036	45	0.045	2 182	33	0.045	1 437	42	0.047	2 358
46	Czechia	0.311	46	0.389	18 850	34	0.391	12 413	43	0.410	20 371
47	Democratic People's Republic of Korea	0.006	47	0.008	364	35	0.010	318	44	0.010	497
48	Democratic Republic of the Congo	0.010	48	0.013	606	36	0.010	318	45	0.010	497
49	Denmark	0.554	49	0.693	33 579	37	0.696	22 112	46	0.730	36 289
50	Djibouti	0.001	50	0.001	61	38	0.010	318	47	0.010	497
51	Dominica	0.001	51	0.001	61	39	0.010	318	48	0.010	497
52	Dominican Republic	0.053	52	0.066	3 212	40	0.067	2 115	49	0.070	3 472
53	Ecuador	0.080	53	0.100	4 849	41	0.101	3 193	50	0.105	5 240

		<i>United Nations Secretariat scale</i>		<i>Basel Convention (BCL)</i>		<i>Rotterdam Convention (ROL)</i>		<i>Stockholm Convention (SCL)</i>			
<i>Party</i>	<i>United Nations scale per cent</i>	<i>Basel Convention adjusted scale per cent</i>	<i>Average annual contribution for biennium</i>	<i>Rotterdam Convention adjusted scale per cent</i>	<i>Average annual contribution for biennium</i>	<i>Stockholm Convention adjusted scale per cent</i>	<i>Average annual contribution for biennium</i>				
	(1)	(2)	(4)	(3)	(4)	(3)	(4)				
	<i>Per cent</i>	<i>No.</i>	<i>United States dollars</i>	<i>No.</i>	<i>Per cent</i>	<i>United States dollars</i>	<i>No.</i>	<i>Per cent</i>	<i>United States dollars</i>		
54	Egypt	0.186	54	0.233	11 274	–	n.a.	n.a.	51	0.245	12 184
55	El Salvador	0.012	55	0.015	727	42	0.015	479	52	0.016	786
56	Equatorial Guinea	0.016	56	0.020	970	43	0.020	639	–	n.a.	n.a.
57	Eritrea	0.001	57	0.001	61	44	0.010	318	53	0.010	497
58	Estonia	0.039	58	0.049	2 364	45	0.049	1 557	54	0.051	2 555
59	Eswatini	0.002	59	0.003	121	46	0.010	318	55	0.010	497
60	Ethiopia	0.010	60	0.010	485	47	0.010	318	56	0.010	497
61	European Union	2.500	61	2.500	121 174	48	2.500	79 417	57	2.500	124 352
62	Fiji	0.003		n.a.	n.a.	–	n.a.	n.a.	58	0.010	497
63	Finland	0.421	62	0.526	25 517	49	0.529	16 803	59	0.554	27 577
64	France	4.427	63	5.536	268 326	50	5.562	176 696	60	5.830	289 983
65	Gabon	0.015	64	0.019	909	51	0.019	599	61	0.020	983
66	Gambia	0.001	65	0.001	61	52	0.010	318	62	0.010	497
67	Georgia	0.008	66	0.010	485	53	0.010	318	63	0.010	497
68	Germany	6.090	67	7.616	369 123	54	7.652	243 071	64	8.020	398 915
69	Ghana	0.015	68	0.019	909	55	0.019	599	65	0.020	983
70	Greece	0.366	69	0.458	22 184	56	0.460	14 608	66	0.482	23 974
71	Guatemala	0.036	70	0.045	2 182	57	0.045	1 437	67	0.047	2 358
72	Guinea	0.003	71	0.004	182	58	0.010	318	68	0.010	497
73	Guinea-Bissau	0.001	72	0.001	61	59	0.010	318	69	0.010	497
74	Guyana	0.002	73	0.003	121	60	0.010	318	70	0.010	497
75	Honduras	0.009	74	0.011	546	61	0.010	318	71	0.010	497
76	Hungary	0.206	75	0.258	12 486	62	0.259	8 222	72	0.271	13 494
77	Iceland	0.028	76	0.035	1 697	–	n.a.	n.a.	73	0.037	1 834
78	India	0.834	77	1.043	50 550	63	1.048	33 288	74	1.098	54 630
79	Indonesia	0.543	78	0.679	32 912	64	0.682	21 673	75	0.715	35 568
80	Iran (Islamic Republic of)	0.398	79	0.498	24 123	65	0.500	15 885	76	0.524	26 070
81	Iraq	0.129	80	0.161	7 819	66	0.162	5 149	77	0.170	8 450
82	Ireland	0.371	81	0.464	22 487	67	0.466	14 808	78	0.489	24 302
83	Israel	0.490	82	0.613	29 700	68	0.616	19 557	–	n.a.	n.a.
84	Italy	3.307	83	4.135	200 442	69	4.155	131 993	–	n.a.	n.a.

		<i>United Nations Secretariat scale</i>		<i>Basel Convention (BCL)</i>		<i>Rotterdam Convention (ROL)</i>			<i>Stockholm Convention (SCL)</i>		
<i>Party</i>	<i>United Nations scale per cent</i>	<i>Basel Convention adjusted scale per cent</i>	<i>Average annual contribution for biennium</i>	<i>Rotterdam Convention adjusted scale per cent</i>	<i>Average annual contribution for biennium</i>	<i>Stockholm Convention adjusted scale per cent</i>	<i>Average annual contribution for biennium</i>				
	(1)	(2)	(4)	(3)	(4)	(3)	(4)	(3)	(4)		
	<i>Per cent</i>	<i>No.</i>	<i>Per cent</i>	<i>United States dollars</i>	<i>No.</i>	<i>Per cent</i>	<i>United States dollars</i>	<i>No.</i>	<i>Per cent</i>	<i>United States dollars</i>	
85	Jamaica	0.008	84	0.010	485	70	0.010	318	79	0.010	497
86	Japan	8.564	85	10.709	519 076	71	10.760	341 817	80	11.278	560 969
87	Jordan	0.021	86	0.026	1 273	72	0.026	838	81	0.028	1 376
88	Kazakhstan	0.178	87	0.223	10 789	73	0.224	7 105	82	0.234	11 660
89	Kenya	0.024	88	0.030	1 455	74	0.030	958	83	0.032	1 572
90	Kiribati	0.001	89	0.001	61	–	n.a.	n.a.	84	0.010	497
91	Kuwait	0.252	90	0.315	15 274	75	0.317	10 058	85	0.332	16 507
92	Kyrgyzstan	0.002	91	0.003	121	76	0.010	318	86	0.010	497
93	Lao People's Democratic Republic	0.005	92	0.006	303	77	0.010	318	87	0.010	497
94	Latvia	0.047	93	0.059	2 849	78	0.059	1 876	88	0.062	3 079
95	Lebanon	0.047	94	0.059	2 849	79	0.059	1 876	89	0.062	3 079
96	Lesotho	0.001	95	0.001	61	80	0.010	318	90	0.010	497
97	Liberia	0.001	96	0.001	61	81	0.010	318	91	0.010	497
98	Libya	0.030	97	0.038	1 818	82	0.038	1 197	92	0.040	1 965
99	Liechtenstein	0.009	98	0.011	546	83	0.010	318	93	0.010	497
100	Lithuania	0.071	99	0.089	4 303	84	0.089	2 834	94	0.093	4 651
101	Luxembourg	0.067	100	0.084	4 061	85	0.084	2 674	95	0.088	4 389
102	Madagascar	0.004	101	0.005	242	86	0.010	318	96	0.010	497
103	Malawi	0.002	102	0.003	121	87	0.010	318	97	0.010	497
104	Malaysia	0.341	103	0.426	20 668	88	0.428	13 610	–	n.a.	n.a.
105	Maldives	0.004	104	0.005	242	89	0.010	318	98	0.010	497
106	Mali	0.004	105	0.005	242	90	0.010	318	99	0.010	497
107	Malta	0.017	106	0.021	1 030	91	0.020	639	100	0.021	1 048
108	Marshall Islands	0.001	107	0.001	61	92	0.010	318	101	0.010	497
109	Mauritania	0.002	108	0.003	121	93	0.010	318	102	0.010	497
110	Mauritius	0.011	109	0.014	667	94	0.014	439	103	0.014	721
111	Mexico	1.292	110	1.616	78 310	95	1.623	51 568	104	1.701	84 630
112	Micronesia (Federated States of)	0.001	111	0.001	61	–	n.a.	n.a.	105	0.010	497
113	Monaco	0.011	112	0.014	667	–	n.a.	n.a.	106	0.014	721
114	Mongolia	0.005	113	0.006	303	96	0.010	318	107	0.010	497

<i>United Nations Secretariat scale</i>		<i>Basel Convention (BCL)</i>			<i>Rotterdam Convention (ROL)</i>			<i>Stockholm Convention (SCL)</i>			
<i>Party</i>	<i>United Nations scale per cent</i>	<i>Basel Convention adjusted scale per cent</i>	<i>Average annual contribution for biennium</i>	<i>Rotterdam Convention adjusted scale per cent</i>	<i>Average annual contribution for biennium</i>	<i>Stockholm Convention adjusted scale per cent</i>	<i>Average annual contribution for biennium</i>				
	(1)	(2)	(4)	(3)	(4)	(3)	(4)	(3)	(4)		
	<i>Per cent</i>	No.	<i>Per cent</i>	<i>United States dollars</i>	No.	<i>Per cent</i>	<i>United States dollars</i>	No.	<i>Per cent</i>	<i>United States dollars</i>	
115	Montenegro	0.004	114	0.005	242	97	0.010	318	108	0.010	497
116	Morocco	0.055	115	0.069	3 334	98	0.069	2 195	109	0.072	3 603
117	Mozambique	0.004	116	0.005	242	99	0.010	318	110	0.010	497
118	Myanmar	0.010	117	0.010	485	–	n.a.	n.a.	111	0.010	497
119	Namibia	0.009	118	0.011	546	100	0.010	318	112	0.010	497
120	Nauru	0.001	119	0.001	61	–	n.a.	n.a.	113	0.010	497
121	Nepal	0.007	120	0.009	424	101	0.010	318	114	0.010	497
122	Netherlands	1.356	121	1.696	82 189	102	1.704	54 122	115	1.786	88 822
123	New Zealand	0.291	122	0.364	17 638	103	0.366	11 615	116	0.383	19 061
124	Nicaragua	0.005	123	0.006	303	104	0.010	318	117	0.010	497
125	Niger	0.002	124	0.003	121	105	0.010	318	118	0.010	497
126	Nigeria	0.250	125	0.313	15 153	106	0.314	9 978	119	0.329	16 376
127	Niue	0.001		n.a.	n.a.	–	n.a.	n.a.	120	0.010	497
128	North Macedonia	0.007	140	0.009	424	119	0.010	318	135	0.010	497
129	Norway	0.754	126	0.943	45 701	107	0.947	30 095	121	0.993	49 389
130	Oman	0.115	127	0.144	6 970	108	0.144	4 590	122	0.151	7 533
131	Pakistan	0.115	128	0.144	6 970	109	0.144	4 590	123	0.151	7 533
132	Palau	0.001	129	0.001	61	–	n.a.	n.a.	124	0.010	497
133	Panama	0.045	130	0.056	2 728	110	0.057	1 796	125	0.059	2 948
134	Papua New Guinea	0.010	131	0.013	606	–	n.a.	n.a.	126	0.010	497
135	Paraguay	0.016	132	0.020	970	111	0.020	639	127	0.021	1 048
136	Peru	0.152	133	0.190	9 213	112	0.191	6 067	128	0.200	9 956
137	Philippines	0.205	134	0.256	12 425	113	0.258	8 182	129	0.270	13 428
138	Poland	0.802	135	1.003	48 610	114	1.008	32 010	130	1.056	52 534
139	Portugal	0.350	136	0.438	21 214	115	0.440	13 970	131	0.461	22 926
140	Qatar	0.282	137	0.353	17 092	116	0.354	11 256	132	0.371	18 472
141	Republic of Korea	2.267	138	2.835	137 406	117	2.848	90 483	133	2.985	148 496
142	Republic of Moldova	0.003	139	0.004	182	118	0.010	318	134	0.010	497
144	Romania	0.198	141	0.248	12 001	120	0.249	7 903	136	0.261	12 970
145	Russian Federation	2.405	142	3.007	145 770	121	3.022	95 991	137	3.167	157 535
146	Rwanda	0.003	143	0.004	182	122	0.010	318	138	0.010	497
147	Saint Kitts and Nevis	0.001	144	0.001	61	123	0.010	318	139	0.010	497

<i>United Nations Secretariat scale</i>		<i>Basel Convention (BCL)</i>			<i>Rotterdam Convention (ROL)</i>			<i>Stockholm Convention (SCL)</i>			
<i>Party</i>	<i>United Nations scale per cent</i>	<i>Basel Convention adjusted scale per cent</i>	<i>Average annual contribution for biennium</i>	<i>Rotterdam Convention adjusted scale per cent</i>	<i>Average annual contribution for biennium</i>	<i>Stockholm Convention adjusted scale per cent</i>	<i>Average annual contribution for biennium</i>				
	(1)	(2)	(4)	(3)	(4)	(3)	(4)	(3)	(4)		
	<i>Per cent</i>	No.	<i>Per cent</i>	<i>United States dollars</i>	No.	<i>Per cent</i>	<i>United States dollars</i>	No.	<i>Per cent</i>	<i>United States dollars</i>	
148	Saint Lucia	0.001	145	0.001	61	–	n.a.	n.a.	140	0.010	497
149	Saint Vincent and the Grenadines	0.001	146	0.001	61	124	0.010	318	141	0.010	497
150	Samoa	0.001	147	0.001	61	125	0.010	318	142	0.010	497
151	Sao Tome and Principe	0.001	148	0.001	61	126	0.010	318	143	0.010	497
152	Saudi Arabia	1.172	149	1.466	71 037	127	1.473	46 778	144	1.543	76 770
153	Senegal	0.007	150	0.009	424	128	0.010	318	145	0.010	497
154	Serbia	0.028	151	0.035	1 697	129	0.035	1 118	146	0.037	1 834
155	Seychelles	0.002	152	0.003	121	–	n.a.	n.a.	147	0.010	497
156	Sierra Leone	0.001	153	0.001	61	130	0.010	318	148	0.010	497
157	Singapore	0.485	154	0.606	29 397	131	0.609	19 358	149	0.639	31 769
158	Slovakia	0.153	155	0.191	9 274	132	0.192	6 107	150	0.201	10 022
159	Slovenia	0.076	156	0.095	4 606	133	0.095	3 033	151	0.100	4 978
160	Solomon Islands	0.001		n.a.	n.a.	–	n.a.	n.a.	152	0.010	497
161	Somalia	0.001	157	0.001	61	134	0.010	318	153	0.010	497
162	South Africa	0.272	158	0.340	16 486	135	0.342	10 856	154	0.358	17 817
163	Spain	2.146	159	2.684	130 072	136	2.696	85 654	155	2.826	140 570
164	Sri Lanka	0.044	160	0.055	2 667	137	0.055	1 756	156	0.058	2 882
165	State of Palestine	0.001	161	0.001	61	138	0.010	318	157	0.010	497
166	Sudan	0.010	162	0.010	485	139	0.010	318	158	0.010	497
167	Suriname	0.005	163	0.006	303	140	0.010	318	159	0.010	497
168	Sweden	0.906	164	1.133	54 914	141	1.138	36 161	160	1.193	59 346
169	Switzerland	1.151	165	1.439	69 764	142	1.446	45 940	161	1.516	75 394
170	Syrian Arab Republic	0.011	166	0.014	667	143	0.014	439	162	0.014	721
171	Tajikistan	0.004	167	0.005	242	–	n.a.	n.a.	163	0.010	497
172	Thailand	0.307	168	0.384	18 608	144	0.386	12 253	164	0.404	20 109
173	Togo	0.002	169	0.003	121	145	0.010	318	165	0.010	497
174	Tonga	0.001	170	0.001	61	146	0.010	318	166	0.010	497
175	Trinidad and Tobago	0.040	171	0.050	2 424	147	0.050	1 597	167	0.053	2 620
176	Tunisia	0.025	172	0.031	1 515	148	0.031	998	168	0.033	1 638
177	Turkey	1.371	173	1.714	83 098	149	1.723	54 721	169	1.805	89 805
178	Turkmenistan	0.033	174	0.041	2 000	–	n.a.	n.a.	–	n.a.	n.a.

<i>United Nations Secretariat scale</i>		<i>Basel Convention (BCL)</i>			<i>Rotterdam Convention (ROL)</i>			<i>Stockholm Convention (SCL)</i>			
<i>Party</i>	<i>United Nations scale per cent</i>		<i>Basel Convention adjusted scale per cent</i>	<i>Average annual contribution for biennium</i>		<i>Rotterdam Convention adjusted scale per cent</i>	<i>Average annual contribution for biennium</i>		<i>Stockholm Convention adjusted scale per cent</i>	<i>Average annual contribution for biennium</i>	
	(1)		(2)	(4)		(3)	(4)		(3)	(4)	
	<i>Per cent</i>	<i>No.</i>	<i>Per cent</i>	<i>United States dollars</i>	<i>No.</i>	<i>Per cent</i>	<i>United States dollars</i>	<i>No.</i>	<i>Per cent</i>	<i>United States dollars</i>	
179	Tuvalu	0.001		n.a.	n.a.	–	n.a.	n.a.	170	0.010	497
180	Uganda	0.008	175	0.010	485	150	0.010	318	171	0.010	497
181	Ukraine	0.057	176	0.071	3 455	151	0.072	2 275	172	0.075	3 734
182	United Arab Emirates	0.616	177	0.770	37 337	152	0.774	24 587	173	0.811	40 350
183	United Kingdom of Great Britain and Northern Ireland	4.567	178	5.711	276 812	153	5.738	182 284	174	6.014	299 153
184	United Republic of Tanzania	0.010	179	0.010	485	154	0.010	318	175	0.010	497
185	Uruguay	0.087	180	0.109	5 273	155	0.109	3 472	176	0.115	5 699
186	Uzbekistan	0.032	181	0.040	1 940	–	n.a.	n.a.	–	n.a.	n.a.
187	Vanuatu	0.001	182	0.001	61	156	0.010	318	177	0.010	497
188	Venezuela (Bolivarian Republic of)	0.728	183	0.910	44 125	157	0.915	29 057	178	0.959	47 686
189	Viet Nam	0.077	184	0.096	4 667	158	0.097	3 073	179	0.101	5 044
190	Yemen	0.010	185	0.010	485	159	0.010	318	180	0.010	497
191	Zambia	0.009	186	0.011	546	160	0.010	318	181	0.010	497
192	Zimbabwe	0.005	187	0.006	303	161	0.010	318	182	0.010	497
<b>Total per year</b>		<b>80.489</b>		<b>100.000</b>	<b>4 846 980</b>		<b>100.000</b>	<b>3 176 692</b>		<b>100.000</b>	<b>4 974 070</b>
<b>Total per biennium</b>					<b>9 693 959</b>			<b>6 353 385</b>			<b>9 948 139</b>

*Notes:*

- (1) United Nations scale of assessment as per resolution 73/271 of 22 December 2018 adopted by the General Assembly at its seventieth session for the years 2019, 2020 and 2021.
- (2) As per rule 5, paragraph 1 (a) of the financial rules of the Basel Convention, contributions made each year by Parties should be based on an indicative scale based on the United Nations scale approved by General Assembly and should be adjusted to ensure that: (i) no Party contributes less than 0.001 per cent of the total; (ii) no one contribution exceeds 22 per cent of the total; (iii) no contribution from a least developed country Party exceeds 0.01 per cent of the total.
- (3) As per rule 5, paragraph 1 (a) of the financial rules of the Rotterdam and Stockholm conventions, contributions made each year by Parties should be based on an indicative scale based on the United Nations scale approved by General Assembly and should be adjusted to ensure that: (i) no Party contributes less than 0.01 per cent of the total; (ii) no one contribution exceeds 22 per cent of the total; (iii) no contribution from a least developed country Party exceeds 0.01 per cent of the total.
- (4) This is the annual contribution to be paid by the Parties both in 2020 and 2021. It is the same for both years and is based on the total required funds for the biennium and the average requirement for the year

Table 3  
**Indicative staffing table for the Basel, Rotterdam and Stockholm conventions for the biennium 2020–2021<sup>6</sup>**

**Posts funded from the general trust funds (used for costing purposes only)**

Staff category and level	Approved 2018–2019 BRS				Total proposed 2020–2021 BRS			
	Core funded	In-kind by FAO	UNEP PSC	Total	Core funded	In-kind by FAO	UNEP PSC	Total
<b>A. Professional categories</b>								
D-2 level	1.00	0.25	–	<b>1.25</b>	1.00	0.25	–	<b>1.25</b>
D-1 level	1.00	–	–	<b>1.00</b>	1.00	–	–	<b>1.00</b>
P-5 level	7.00	–	–	<b>7.00</b>	7.00	–	–	<b>7.00</b>
P-4 level	7.00	–	2.00	<b>9.00</b>	7.00	–	2.00	<b>9.00</b>
P-3 level	16.00	1.00	–	<b>17.00</b>	16.00	1.00	–	<b>17.00</b>
P-2 level	2.00	–	–	<b>2.00</b>	2.00	–	–	<b>2.00</b>
<i>Subtotal A</i>	<i>34.00</i>	<i>1.25</i>	<i>2.00</i>	<b><i>37.25</i></b>	<i>34.00</i>	<i>1.25</i>	<i>2.00</i>	<b><i>37.25</i></b>
<b>B. General Service category GS</b>	12.00	1.25	6.00	<b>19.25</b>	12.00	1.25	6.00	<b>19.25</b>
<i>Subtotal B</i>	<i>12.00</i>	<i>1.25</i>	<i>6.00</i>	<b><i>19.25</i></b>	<i>12.00</i>	<i>1.25</i>	<i>6.00</i>	<b><i>19.25</i></b>
<b>Total (A+B)</b>	<b>46.00</b>	<b>2.50</b>	<b>8.00</b>	<b>56.50</b>	<b>46.00</b>	<b>2.50</b>	<b>8.00</b>	<b>56.50</b>
<b>Remarks</b>	<b>(1)</b>	<b>(2)</b>	<b>(3)</b>		<b>(1)</b>	<b>(2)</b>	<b>(3)</b>	

*Notes*

- (1) Post funded by assessed contributions.
- (2) Provided by FAO as an in-kind contribution in its capacity as part of the Rotterdam Convention Secretariat.
- (3) Funded by the programme support cost (PSC) of 13 per cent accrued from both assessed (core) and voluntary contributions, includes finance, administration and logistics staff.

<sup>6</sup> Table 3 is presented in English only and without formal editing.

**Posts funded from voluntary special and technical cooperation trust funds  
(used for costing purposes only)**

<i>Staff category and level</i>	<i>Approved 2018–2019 BRS</i>	<i>Total proposed 2020–2021 BRS</i>
<b>A. Professional categories</b>		
D-2 level	–	–
D-1 level	–	–
P-5 level	–	–
P-4 level	–	–
P-3 level	1.00	1.00
P-2 level	–	–
<i>Subtotal A</i>	<i>1.00</i>	<i>1.00</i>
<b>B. General Service category</b>	1.00	3.00
GS		
<i>Subtotal B</i>	<i>1.00</i>	<i>3.00</i>
<b>Total (A+B)</b>	<b>2.00</b>	<b>4.00</b>
<b>Remarks</b>		<b>(1)</b>

*Notes*

- (1) Voluntary funded staff in above table will be recruited subject to the availability of voluntary funds. Additional voluntary funded positions in Geneva could be added to support the implementation of voluntary funded projects, throughout the duration of the project, subject to availability of funds and project needs.

**Provisional projected salary costs for Geneva for the biennium 2020–2021***(United States dollars)***Duty station: Geneva**

<i>Staff category and level</i>	<i>2018</i>	<i>2019</i>	<i>2020</i>	<i>2021</i>	<i>2020–2021</i>
<b>A. Professional category</b>					
D-2	297,246	306,163	315,348	324,809	640,157
D-1	297,246	306,163	315,348	324,809	640,157
P-5	259,526	267,312	275,331	283,591	558,922
P-4	224,010	230,730	237,652	244,781	482,433
P-3	189,780	195,474	201,338	207,378	408,716
P-2	161,259	166,096	171,079	176,212	347,291
<b>B. General Service category</b>					
GS	143,673	147,984	152,423	156,996	309,419
<b>C. Other direct personnel costs</b>					
Retirement/Separation and replacement recruitment costs	–	–	–	–	262,775
ICSC review of entitlements (revised)	–	–	–	–	130,000
<b>Remarks</b>	(1)	(2)	(2)	(2)	(3) (4)

- (1) Average actual salary costs including UN staff entitlement of BRS Geneva staff for June-July 2018 was used as basis to project future salary costs. These actual costs take into account the decrease in salaries in Geneva duty station due to the ICSC salary review undertaken in 2017 and resulting in a reduction in the post adjustment affecting the staff costs.
- (2) Staff costs for 2019, 2020 and 2021 were estimated by using the actual costs of 2018 with an increase of a standard 3 per cent per annum to cover for salary step increase, inflation, exchange rate fluctuations and unexpected changes in salary costs.
- (3) The projected actual salary costs for the biennium exclude the estimated retirement/separation and replacement recruitment costs. These costs are an integral part of the staffing costs and have been added separately for transparency. In the biennium 2020-2021 BRS has 5 staff members that have the right to retire during the biennium as they are between 62-65 years, however, they have the right to decide to stay until 65 years. In addition there may be other staff that leaves to another job. In these calculations we have only taken into account 3 retirements or separations or mobility (when a person changes jobs or resigns) and their replacements. These costs include both Geneva and Rome staff movements.
- (4) The International Civil Servants Commission (ICSC) has proposed to the General Assembly in the Annual Report of the ICSC for the year 2018 (A/73/30) that the General Assembly approves changes in staff entitlements. If approved by the UN General Assembly, the following proposed changes would affect the BRS Secretariat staff costs: 4.4% increase in P-staff pensionable remuneration, 25% increase of annual dependency allowance, 1.83% increase in base/floor salary scale of P-staff (proposed zero net effect). In addition ICSC will undertake a new review of post-adjustment calculations and review other entitlements that may increase the salary costs further. The cost of these changes if approved, have been estimated to be higher than the amount presented in the current proposal. At 2019 COP this amount was adjusted to take into account the actual outcome of the GA resolution, and the pensionable remuneration amount was revised with USD 30,000 from USD 100,000 to USD 130,000.

**Provisional projected salary costs for Rome for the biennium 2020-2021***(United States dollars)***Duty station: Rome**

<i>Staff category and level</i>	<i>2018</i>	<i>2019</i>	<i>2020</i>	<i>2021</i>	<i>2020–2021</i>
<b>A. Professional category</b>					
D-2	273,432	273,432	281,635	290,084	571,719
P-5	245,911	253,288	260,887	268,713	529,600
P-4	239,383	246,565	253,962	261,580	515,542
P-3	195,324	201,184	207,220	213,436	420,656
P-2	154,396	159,028	163,799	168,713	332,512
<b>B. General Service category</b>					
GS	111,430	114,773	118,216	121,763	239,979
<b>C. Other direct personnel costs</b>					
Retirement/Separation and replacement recruitment costs	–	–	–	–	–
ICSC review of entitlements	–	–	–	–	–
<b>Remarks</b>	(1)	(2)	(2)	(2)	(2) (3) (4)

- (1) Average actual salary costs for 2018 including staff entitlements and improved cost recovery uplift (ICRU) in respect to Rome staff was used as a basis to project future salary costs for staff salaries in GS and P1-P5 levels. For the in-kind post at the D-2 level, we have used the FAO standard salary cost for 2018–2019 as the post incumbency has changed during 2018
- (2) Staff costs for 2019, 2020 and 2021 were estimated by using the actual costs of 2018 increased by a standard 3 per cent per annum.
- (3) No retirements are foreseen in Rome office for the 2020–2021 biennium. Other possible mobility related staff movements have been accounted for under Geneva staff budget.
- (4) Rome staff costs in terms of the proposed ICSC changes in entitlements have been included under Geneva staff costs “ICSC review of entitlements”.

Table 4  
**Specified activities to be funded from the available surpluses in the conventions' general trust funds in 2020–2021<sup>7</sup>**

<i>Draw down from the provisional cash balance 31 December 2019 of the general trust funds</i>	<i>Basel Convention (BCL)</i>	<i>Rotterdam Convention (ROL)</i>	<i>Stockholm Convention (SCL)</i>	<i>Total</i>
	<i>2020–2021</i>	<i>2020–2021</i>	<i>2020–2021</i>	<i>2020–2021</i>
Activity 25 Clearing house mechanism	21 353	10 396	21 352	53 101
Activity 30.2 Financial mechanism assessment report			165 000	165 000
<b>Total direct costs</b>	<b>21 353</b>	<b>10 396</b>	<b>186 352</b>	<b>218 101</b>
Programme support costs (13 per cent)	2 776	1 351	24 226	28 353
<b>Total specific activities to be drawn down from the provisional projected cash balance 31 December 2019 of the general trust funds</b>	<b>24 129</b>	<b>11 747</b>	<b>210 578</b>	<b>246 454</b>

<sup>7</sup> Table 4 is presented in English only and without formal editing.