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

Third meeting
Geneva, 9–13 October 2006

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 third meeting

I. Opening of the meeting

1. The third meeting of the Conference of the Parties to the Rotterdam Convention on the Prior Informed Consent Procedure for Certain Hazardous Chemicals and Pesticides in International Trade was held at the Geneva International Conference Centre in Geneva, Switzerland, from 9 to 13 October 2006.
2. Mr. Yue Ruisheng (China), President of the Conference, declared the meeting open at 10.20 a.m. on Monday, 9 October 2006.
3. Opening statements were made by Mr. Frits Schlingemann, Regional Director for Europe of the United Nations Environment Programme (UNEP), who spoke on behalf of Mr. Achim Steiner, Executive Director of UNEP, and Mr. Niek Van der Graaff of the Food and Agriculture Organization of the United Nations (FAO), joint Executive Secretary of the Rotterdam Convention.
4. Mr. Schlingemann welcomed participants on behalf of the Executive Director and expressed his appreciation to the Government of Switzerland for providing the facilities for the meeting and for its generous financial support to the Rotterdam Convention. He said that, although tangible progress had been made since the 1992 United Nations Conference on Environment and Development to reduce the harmful impact on human health and the environment of certain hazardous chemicals, including the adoption in February 2006 of the Strategic Approach to International Chemicals Management (SAICM), much remained to be done. He stressed that the Rotterdam Convention did not prevent international trade in hazardous chemicals but rather enabled Parties to make informed decisions on whether they wished to continue to use and import such chemicals, many of which could be used safely provided that appropriate controls were in place.

5. He noted with satisfaction the growing number of Parties to the Convention, observing that Congo had deposited its instrument of ratification on 13 July 2006 and would become the 109th Party to the Convention during the current meeting, but expressed concern that some Parties were encountering difficulties in meeting their Convention commitments. He encouraged all Parties to take appropriate action and pledged that the secretariat would continue to provide assistance where needed.

6. Mr. van der Graaff provided an overview of the progress made in the implementation of the Convention since its adoption in 1998, noting that close cooperation between UNEP and FAO had been key to that progress. The partnership approach had been extended to include actions at the regional level through the regional offices of FAO and UNEP, the regional centres established under the Basel Convention on the Control of the Transboundary Movement of Hazardous Wastes and their Disposal and existing subregional organizations.

7. Referring to the agenda, he drew attention in particular to the issue of including chrysotile asbestos in Annex III to the Convention and the adoption of the decision-guidance document on that chemical, which had been prepared by the Chemical Review Committee. He urged the Conference not to lose sight of the fact that the inclusion of a chemical in the prior informed consent (PIC) procedure was not a recommendation to ban its global trade or use but rather a means of giving importing countries the power to make informed decisions on which chemicals they wished to import and produce for their national markets.

8. Noting that after its third meeting the Conference of the Parties would meet only once every two years, he underscored the importance of maintaining the momentum created since the adoption of the Convention and urged Parties to continue to take full advantage of the operational procedures that had been put in place for its implementation. In that regard, he encouraged Parties to review the list of approximately 160 chemicals for each of which the secretariat had received complete notifications of final regulatory action from only one PIC region, recalling that only notifications for chemicals with respect to which the secretariat had received complete notifications from at least two PIC regions would be forwarded for consideration by the Chemical Review Committee. He urged Parties to continue to prepare and submit notifications, as they were necessary to trigger both the information exchange provisions of the Convention and the PIC procedure.

9. In addition, he encouraged Parties that had not yet done so to take full advantage of the opportunity to develop national plans for the implementation of the Convention under the programme for the regional delivery of technical assistance. The process of developing such plans and the priorities identified within them, he said, would help Parties in seeking assistance from a variety of sources, including the SAICM Quick Start Programme, and the priorities could be integrated into existing chemicals management activities, including those of other multilateral environmental agreements.

II. Organizational matters

A. Attendance

10. Representatives of the following countries and regional economic integration organizations participated in the meeting: Argentina, Armenia, Australia, Austria, Belgium, Benin, Bolivia, Brazil, Bulgaria, Burkina Faso, Cameroon, Canada, Chad, Chile, China, Congo, Cook Islands, Cote d'Ivoire, Cyprus, Czech Republic, Democratic People's Republic of Korea, Democratic Republic of the Congo, Denmark, Djibouti, Dominican Republic, Ecuador, El Salvador, Estonia, Ethiopia, European Community, Finland, France, Gabon, Germany, Ghana, Greece, Hungary, India, Iran (Islamic Republic of), Italy, Jamaica, Japan, Jordan, Kenya, Kuwait, Kyrgyzstan, Latvia, Liberia, Libyan Arab Jamahiriya, Liechtenstein, Lithuania, Madagascar, Malaysia, Mali, Mauritania, Mexico, Mongolia, Netherlands, New Zealand, Niger, Nigeria, Norway, Oman, Pakistan, Panama, Paraguay, Peru, Philippines, Poland, Portugal, Qatar, Republic of Korea, Romania, Rwanda, Samoa, Senegal, Slovenia, South Africa, Spain, Sri Lanka, Sudan, Sweden, Switzerland, Syrian Arab Republic, Thailand, Togo, Ukraine, United Kingdom of Great Britain and Northern Ireland, United Republic of Tanzania, Uruguay, Venezuela (Bolivarian Republic of), Yemen.

11. In addition, representatives of the following countries attended the meeting as observers: Algeria, Angola, Barbados, Bosnia and Herzegovina, Cambodia, Colombia, Costa Rica, Croatia, Egypt, Guatemala, Indonesia, Iraq, Israel, Lebanon, Morocco, Nicaragua, Russian Federation, Slovakia, the Former Yugoslav Republic of Macedonia, Timor Leste, Tunisia, Turkey, United States of America, Zimbabwe.

12. The following United Nations bodies and specialized agencies were represented: United Nations Economic Commission for Europe, United Nations Institute for Training and Research, World Health Organization, World Trade Organization.

13. The following intergovernmental organizations were represented: Basel Convention, Intergovernmental Forum on Chemical Safety, League of Arab States, Stockholm Convention on Persistent Organic Pollutants.

14. The following non-governmental organizations were represented: Action Internationale pour la Paix et le Développement dans la Région des Grands Lacs (International Action for Peace and Development in the Great Lakes Region), Berne Declaration, Center for International Environmental Law, Chrysotile Institute, Clean Mumbai Foundation, Confederation of Employers of Kazakhstan, CropLife International, European Chemical Industry Council, Foundation for Advancements in Science and Education, Indian Chemical Council, Instituto Mexicano de Fibro Industrias (Mexican Institute of Fibre Industries), International Ban Asbestos Secretariat, International Council of Chemical Associations, International Council of Environmental Law, Kurim – Kobe University Graduate School of International Cooperation Studies, Pesticide Action Network, Sama S.S. – Minerações Associadas.

B. Officers

15. In accordance with paragraph 2 of rule 22 of the rules of procedure, the Bureau for the current meeting was elected at the second meeting of the Conference and commenced its term at the close of that meeting. That Bureau was constituted as follows:

President:	Mr. Yue Ruisheng (China);
Vice-Presidents:	Ms. Andrea Silvina Repetti (Argentina); Ms. Helga Schrott (Austria); Ms. Marija Teriosina (Lithuania); Mr. Azhari Omer Abdelbagi (Sudan);

Ms. Teriosina served also as Rapporteur.

C. Adoption of the agenda

16. The Conference adopted the following agenda, on the basis of the provisional agenda contained in document UNEP/FAO/RC/COP.3/1:

1. Opening of the meeting.
2. Organizational matters:
 - (a) Adoption of the agenda;
 - (b) Organization of work.
3. Rules of procedure for the Conference of the Parties.
4. Report on the credentials of representatives at the third meeting of the Conference of the Parties.
5. Implementation of the Convention:
 - (a) Status of implementation;
 - (b) Confirmation of the appointment of a Government-designated expert to the Chemical Review Committee;
 - (c) Nomination of Governments to designate experts for the Chemical Review Committee;
 - (d) Report of the Chemical Review Committee on the work of its second meeting;
 - (e) Consideration of a chemical for inclusion in Annex III to the Convention: chrysotile asbestos.

6. Issues arising out of previous meetings of the Conference of the Parties:
 - (a) Non-compliance;
 - (b) Study of possible options for lasting and sustainable financial mechanisms;
 - (c) Regional and national delivery of technical assistance;
 - (d) Cooperation with the World Customs Organization;
 - (e) Cooperation with the World Trade Organization;
 - (f) Study on the advantages and disadvantages of using the euro, the Swiss franc or the United States dollar as the currency of the accounts and budget of the Convention;
 - (g) Results of the study on improving cooperation and synergies between the secretariats 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;
 - (h) Supplementary analysis of the financial and administrative arrangements which would be required to implement any changes which the secretariats 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 and the United Nations Environment Programme may propose;
 - (i) Mechanisms under the Convention for information exchange.
7. Report on the activities of the secretariat.
8. Programme of work and consideration of the proposed budget for the 2007–2008 biennium.
9. Venue and date of the fourth meeting of the Conference of the Parties.
10. Election of officers for the fourth meeting of the Conference of the Parties.
11. High-level segment.
12. Other matters.
13. Adoption of the report.
14. Closure of the meeting.

D. Organization of work

17. The Conference had before it document UNEP/FAO/RC/COP.3/2, which contained a scenario note for the meeting prepared by the President of the Conference. The President introduced the document, highlighting the objectives of the meeting and the possible outcomes. He drew attention to the documents for the meeting and outlined a programme of work for the week.

18. The Conference agreed to conduct its business in plenary and to establish such subsidiary groups as it considered necessary to work on particular agenda items during the course of the meeting. Efforts would be made, where possible, to ensure that those groups did not meet simultaneously in order to enable the participation in all groups of representatives of Parties with small delegations.

19. A list of pre-session documents before the Conference at the current meeting is contained in annex II to the present report.

III. Rules of procedure for the Conference of the Parties

20. Under the item, the Conference had before it a note by the secretariat (UNEP/FAO/RC/COP.3/3) on whether to adopt the second sentence of paragraph 1 of rule 45 of the rules of procedure set out in the annex to decision RC-1/1. Introducing the item, the representative of the secretariat recalled that the Conference had at its first meeting adopted those rules of procedure in their entirety with the exception of the second sentence of paragraph 1 of rule 45, relating to the

adoption of decisions on substantive matters by consensus or by two-thirds majority vote, which had been enclosed in square brackets to indicate that it had not been adopted. The matter had been discussed further by the Conference at its second meeting but no formal decision had been taken and the sentence had remained enclosed in square brackets.

21. Following discussion, the Conference agreed that it would again forego taking a formal decision on the item, that the brackets would remain in place and that, until it decided otherwise, it would continue to decide substantive matters by consensus.

IV. Report on the credentials of representatives at the third meeting of the Conference of the Parties

22. The Conference agreed that the Bureau would serve as the credentials committee for the current meeting.

23. The chair of the credentials committee reported that the committee had examined the credentials of Parties participating in the Conference and had found those of the following 73 to be in conformity with the stipulated requirements, as provided for in rule 19 of the rules of procedure: Argentina, Armenia, Australia, Austria, Belgium, Benin, Brazil, Bulgaria, Burkina Faso, Canada, Chad, Chile, China, Republic of Congo, Cook Islands, Czech Republic, Democratic People's Republic of Korea, Democratic Republic of Congo, Denmark, Djibouti, Ecuador, Ethiopia, European Community, Finland, France, Gabon, Germany, Ghana, India, Islamic Republic of Iran, Italy, Jamaica, Japan, Jordan, Kyrgyzstan, Latvia, Liberia, Liechtenstein, Lithuania, Madagascar, Mali, Mauritania, Mexico, Mongolia, Netherlands, New Zealand, Niger, Nigeria, Norway, Oman, Pakistan, Panama, Paraguay, Peru, Poland, Portugal, Republic of Korea, Romania, Slovenia, South Africa, Spain, Sri Lanka, Sudan, Sweden, Switzerland, Thailand, Togo, Ukraine, United Kingdom of Great Britain and Northern Ireland, United Republic of Tanzania, Uruguay, Venezuela (Bolivarian Republic of) and Yemen.

24. The following four parties had communicated credentials or information concerning the appointment of representatives by facsimile or in photocopy, or in the form of letters or notes verbales from the permanent missions to the United Nations in Geneva: Bolivia, Cyprus, Dominican Republic, and Malaysia.

25. The Conference approved the report of the chair of the credentials committee.

V. Implementation of the Convention

A. Status of implementation

26. The Conference had before it notes by the secretariat on the status of implementation of the Rotterdam Convention by Parties and participating States (UNEP/FAO/RC/COP.3/4), on the status of ratification of the Rotterdam Convention as of 15 September 2006 (UNEP/FAO/RC/COP.3/INF/1) and on the chemicals scheduled for review at the third meeting of the Chemical Review Committee (UNEP/FAO/RC/COP.3/INF/4).

27. Introducing the item, the representative of the secretariat summarized the progress in the implementation of the Convention during the period from 1 May 2005 to 30 April 2006, giving an overview of the situation with regard to Parties and designated national authorities, notifications of final regulatory action to ban or severely restrict chemicals, proposals for the inclusion of severely hazardous pesticide formulations, import responses, export notifications, information exchange, technical assistance and the termination of the interim PIC procedure.

28. In the ensuing debate, the representative of a regional economic integration organization¹ said that the overall numbers of notifications verified as complete and the number of Parties making such notifications were encouraging but echoed Mr. van der Graaff's observation in his opening remarks that some 160 chemicals which had been the subject of notifications found to meet the criteria of Annex I

¹ At the current meeting the representative of the regional economic integration organization spoke on behalf of the organization, its member States and the acceding States Bulgaria and Romania. Statements by the representative of the organization referred to in the present report should therefore be understood as having been made on behalf of the organization, its member States and the acceding States Bulgaria and Romania.

had not been considered by the Chemical Review Committee because of the absence of notifications for those chemicals from more than one PIC region; her organization therefore agreed that Parties should be encouraged to accord priority to chemicals for which there were already verified notifications, in particular those which met the Annex II criteria. She also said, however, that Parties should not be discouraged from submitting notifications out of fear that they would not meet the criteria of Annex II; while it was preferable that they met the criteria, that was not a precondition for submission and even notifications that did not lead to the listing of chemicals in Annex III to the Convention nevertheless played a useful role.

29. Regarding import responses, she noted that despite the secretariat's efforts the overall import response rate had not improved significantly and she expressed concern that a number of Parties had not provided any responses at all. She recalled that, in accordance with article 11 of the Convention, continuing failure to provide import responses would ultimately result in the importing Parties concerned no longer being protected by the status quo provisions of that article. She also described her organization's experience in applying the export notification procedure, noting problems in contacting designated national authorities due to incorrect or outdated contact details and encouraging all Parties and the secretariat to make greater efforts to ensure that such information was kept up to date, and noted too that most countries failed to acknowledge receipt of export notifications as required by paragraph 4 of article 12 of the Convention. She encouraged other Parties to use article 14 and the clearing-house facility on the Rotterdam Convention website for additional information on chemicals not included in decision-guidance documents and expressed regret that, following termination of the interim PIC procedure, the contact details of the designated national authorities of non-Parties were no longer maintained, suggesting that the secretariat should reconsider the matter in order to enable information exchange with non-Parties to continue.

30. A number of representatives emphasized the need for the provision of greater financial and technical assistance, perhaps through regional workshops, to Parties that encountered difficulties in submitting notifications of final regulatory action or proposals for the inclusion of severely hazardous pesticide formulations, particularly developing countries and countries with economies in transition. One representative said that a lack of contact details for designated national authorities and the absence of a standardized form made responding to export notifications difficult; he suggested that the secretariat update contact details and prepare a standardized form for export notifications. One representative highlighted the difficulties faced in responding to export notifications as a result of incorrect product information.

31. The representative of the secretariat drew attention to document UNEP/FAO/RC/COP.3/INF/2, which contained all of the contact details of designated national authorities. Parties were invited to review the list and to bring any errors to the attention of the secretariat. The secretariat would update the contact details of non-Parties if such information was made available and would draft a standardized form for export notification.

B. Confirmation of the appointment of a government-designated expert to the Chemical Review Committee

32. The Conference had before it a note by the secretariat on the designation by the Democratic Republic of the Congo of an expert to serve on the Chemical Review Committee (UNEP/FAO/RC/COP.3/5) and an information document describing the qualifications of that expert (UNEP/FAO/RC/COP.3/INF/6).

33. Introducing the item, the representative of the secretariat recalled that, at its second meeting, the Conference of the Parties had decided that the Democratic Republic of the Congo would designate an expert to serve on the Chemical Review Committee in lieu of an expert that was to have been designated by Gabon.

34. Following that introduction, the Conference agreed to confirm the expert designated by the Democratic Republic of Congo.

35. Decision RC-3/1, on confirmation of the appointment of the expert designated to the Chemical Review Committee by the Government of the Democratic Republic of the Congo, as adopted by the Conference, is contained in annex I to the present report.

C. Nomination of Governments to designate experts for the Chemical Review Committee

36. The Conference had before it a note by the secretariat (UNEP/FAO/RC/COP.3/6) concerning the need to nominate Governments to designate experts to the Chemical Review Committee.

37. In introducing the item, the representative of the secretariat said that, since the fourth meeting of the Conference of the Parties was scheduled for late 2008, it would be necessary for the regional groups to nominate at the current meeting the Governments to be invited to designate experts to replace those whose terms would expire in September 2007.

38. The President recalled that members of the Chemical Review Committee could serve for no more than two consecutive terms. As all experts were currently in their first term, however, regional groups could confirm the current experts to serve an additional term or choose new Parties to be invited to designate experts.

39. Decision RC-3/2, on the nomination of Governments to designate experts for the Chemical Review Committee, as adopted by the Conference, is contained in annex I to the present report.

D. Report of the Chemical Review Committee on the work of its second meeting

40. The Conference had before it a note by the secretariat containing the report of the Chemical Review Committee on the work of its second meeting (UNEP/FAO/RC/COP.3/7) and notes by the secretariat on issues arising out of the second meeting of the Chemical Review Committee (UNEP/FAO/RC/COP.3/8), on trade restrictions under other multilateral environmental agreements and their relevance to chemicals eligible for listing in Annex III to the Convention (UNEP/FAO/RC/COP.3/9) and on risk evaluations under other multilateral environmental agreements and their relevance to candidate chemicals (UNEP/FAO/RC/COP.3/10).

1. Presentation by the Chair of the Chemical Review Committee

41. Ms. Bettina Hitzfeld (Switzerland), Chair of the Chemical Review Committee, summarized the work of the Chemical Review Committee at its second meeting, which had been held in Geneva from 13 to 17 February 2006. The meeting, she said, had been attended by all 31 of the designated expert members of the Committee, as well as by numerous observers and other experts. The Committee had reviewed notifications and associated supporting documentation regarding nine chemicals. On the basis of the information available, it had concluded that 4-nitrobiphenyl and dibromochloropropane (DBCP) did not meet all the criteria of Annex II and could not be proposed for inclusion in Annex III at the current time. It had also concluded, with regard toalachlor, cyhexatin, dicofol, methyl parathion and mirex, that for each of these chemicals only one notification fulfilled all the criteria of Annex II to the Convention and that each of these chemicals would therefore require another notification from another PIC region before it would be eligible for inclusion in Annex III. With regard to endosulfan and tributyl tin, two notifications from two PIC regions for each chemical met the criteria of Annex II; intersessional drafting groups had accordingly been established to prepare decision guidance documents.

42. Following extensive discussion, she said, the Committee had agreed to recommend the inclusion of chrysotile asbestos in Annex III and had decided to forward the associated decision-guidance document (UNEP/FAO/RC/COP.3/11) to the Conference of the Parties on the understanding that the full report of the World Health Organization (WHO) workshop on the mechanism of fibre carcinogenesis and assessment of chrysotile asbestos substitutes would be made available to the Conference of the Parties; that the Conference of the Parties would review the mechanisms under the Convention that provided for information exchange, such as those under articles 7 and 14 and the clearing-house mechanism, which could address the issue of whether information on alternatives and comparative evaluation of alternatives and chrysotile should be included; and that the Chemical Review Committee would forward the issue of the status of previously considered notifications to the Conference of the Parties for its consideration.

43. In addition, the Committee had considered a working paper on the application of criteria (b) (i), (b) (ii) and (b) (iii) of Annex II and had agreed that it would continue to develop the paper intersessionally and in the light of future notifications that were submitted for its consideration. It had also considered a paper on trade restrictions applicable under other multilateral environmental agreements and their relevance to chemicals eligible for listing in Annex III to the Convention and a

paper on risk evaluations under other multilateral environmental agreements, as requested by the Conference at its second meeting.

44. The Committee had also agreed to bring a number of other issues to the attention of the Conference, including the issue of the procedures for the preliminary review of notifications of final regulatory action and prioritizing the work of the Committee and a working paper on the application of criterion (d) of Annex II, which was contained in annex IV to the report of the Committee's second meeting (UNEP/FAO/RC/COP.3/7). In conclusion, she thanked the members of the Committee and the observers for their hard work and commitment and their willingness to work towards a consensus.

45. The Conference took note of the report of the Chemical Review Committee, commending it on its work.

2. Issues arising out of the second meeting of the Chemical Review Committee

(a) Procedures for the preliminary review of notifications and prioritization

46. Regarding the procedures for the preliminary review of notifications of final regulatory action and prioritizing the work of the Chemical Review Committee, the Conference's attention was drawn to the paper prepared by the secretariat and put before the Committee at its second meeting in document UNEP/FAO/RC/CRC.2/6. During the discussion on the issue, the procedures met with general approval and were noted by the Conference.

(b) Clarification of the term "misuse"

47. The President, introducing the issue, said that the working paper prepared by the Committee on the application of criterion (d) of Annex II to the Convention stipulated that intentional misuse was not in itself an adequate reason to list a chemical in Annex III. The Committee had noted that misuse could be difficult to define in countries with less developed regulatory structures but had indicated that intentional misuse might include, for example, the use of pesticides for suicide or for the intentional poisoning of fish. The Committee had concluded that future notifications relating to misuse should be considered on a case-by-case basis and that the working paper, which would help to ensure transparency and consistency in the work of the Committee, should evolve as further experience was gained.

48. In the discussion on the issue, one representative suggested amending the wording used in the working paper, which indicated that in developed countries the term "common use" might be considered equivalent to legal use. He said that care should be taken not to imply that a use was legal just because it was common and suggested that suitable alternative language might be: "common use would usually be consistent with legal use." Ms. Hitzfeld took note of the suggestion and said that, as the document was a work in progress, it could be incorporated in the future.

49. A number of representatives agreed with the basic approach set out in the paper, but noted that future notifications involving misuse should be approached on a case-by-case basis. Some representatives drew attention to the relationship between misuse and regulatory structures governing use and one suggested that an objective definition of intentional misuse, perhaps referring to use of a chemical in a way that violated domestic laws regulating its use, would be preferable to dealing with such cases on an ad hoc basis.

50. The Conference agreed that the Chemical Review Committee would continue to consider notifications involving intentional misuse on a case-by-case basis, but that a legal opinion from the UNEP legal office to clarify the meaning of "intentional misuse" should be obtained and made available to the Committee in order to inform future discussions.

(c) Decision-guidance document for chrysotile asbestos

51. Regarding the Committee's recommendation to the Conference on the decision-guidance document for chrysotile asbestos, the President indicated that, according to WHO, the full report of the workshop on the mechanism of fibre carcinogenesis and assessment of chrysotile asbestos substitutes would not be available before the end of 2006. An executive summary of the report, which contained a summary of the principal findings of the workshop, was available to the Conference in document UNEP/FAO/RC/COP.3/INF/9. A copy of the full report would be made available to the Conference for its fourth meeting.

52. As to the Committee's consideration of alternatives and a comparative evaluation of alternatives and chrysotile, the President recalled that at its second meeting the Conference had requested the Secretariat to prepare a paper reviewing the mechanisms under the Convention for information exchange and assessing how well they were meeting the needs of Parties. He drew attention to that

paper, which was contained in document UNEP/FAO/RC/COP.3/21 and would be considered under agenda item 6 (i).

53. Regarding the issue of previously considered notifications in the case of chrysotile asbestos, the President said that the secretariat had sought advice from the UNEP legal office, which had indicated that a failure of the Conference of the Parties to agree to include a chemical in Annex III did not invalidate the notifications which had triggered the consideration of the chemical. Rather, the notifications remained in the custody of the Chemical Review Committee and remained valid. The submission of additional notifications from one or more different PIC regions found to meet the requirements of Annex I would therefore trigger the further consideration of whether the chemical should be included in Annex III and the previously considered notifications would have to be taken into account. He recalled that chrysotile asbestos had been considered by the Chemical Review Committee at its first meeting based on new notifications from two regions.

54. In the debate on the issue one representative stressed that, while there had been consensus at the second meeting of the Chemical Review Committee to adopt the decision-guidance document on chrysotile asbestos and forward it for consideration by the Conference of the Parties, account should be taken of the conditions under which that consensus had been achieved.

55. The representative of Kyrgyzstan drew attention to his country's submission regarding chrysotile asbestos (UNEP/FAO/RC/COP.3/INF/14) and in particular the issue of whether previously considered notifications of final regulatory actions should be taken into account in considering the inclusion of chemicals in Annex III to the Convention. He argued that a notification had both a procedural effect, in that it triggered a decision-making process in which the Committee had to decide whether to recommend inclusion of a chemical in Annex III to the Convention and then the Conference of the Parties had to determine whether to accept the Committee's recommendation, and a material effect, in that it provided information to the Chemical Review Committee necessary for it to make its recommendation on whether to include a chemical in Annex III.

56. With regard to the material effect, he agreed with the conclusion of the secretariat, based on legal advice from UNEP, that previously considered notifications remained valid, but, with regard to the procedural effect, he said that the secretariat had misinterpreted the Convention in concluding that previously considered notifications could be taken into account in answering the question of whether a new procedure for inclusion of a chemical in Annex III had been triggered by the submission of at least one complete notification from each of at least two PIC regions. In the case of chrysotile asbestos, therefore, while the notifications submitted by the European Union and Chile remained valid and would have to be taken into account by the Committee for the purpose of preparing any future decision-guidance document, they should not have been taken into account in deciding whether the current process for considering the inclusion of chrysotile asbestos in Annex III to the Convention had been triggered. One representative expressed support for Kyrgyzstan's position.

57. The representative of the secretariat and the legal representative of UNEP reiterated the position stated in the secretariat's note that notifications previously considered by the Conference of the Parties remained valid and could trigger future consideration of inclusion of a chemical. Several representatives expressed support for the position that the procedural rules for inclusion of chrysotile asbestos in Annex III to the Convention had been met. The President pointed out that, while the Intergovernmental Negotiating Committee had considered at its eleventh session whether to include chrysotile asbestos in the interim prior informed consent procedure, no consensus had been reached and the Conference of the Parties had never considered the inclusion of chrysotile asbestos in Annex III to the Convention.

3. Trade restrictions under other multilateral environmental agreements

58. Introducing the issue, the representative of the secretariat highlighted the controls on trade imposed under the Stockholm Convention on Persistent Organic Pollutants and the Montreal Protocol on Substances that Deplete the Ozone Layer and raised the question of whether, in considering candidate chemicals for listing in Annex III to the Rotterdam Convention, the Chemical Review Committee should give a lower priority to chemicals which were already included in either of those agreements.

59. Several representatives said that, although they welcomed the secretariat's proposal in principle, the Chemical Review Committee should consider candidate chemicals on a case-by-case basis. Another expressed concern that the proposal might discourage the submission of notifications by Parties, but the representative of the secretariat clarified that the proposed measure would not affect the obligation of Parties to submit notifications to the secretariat in line with article 5 of the Convention once they had decided to ban or severely restrict chemicals.

60. The representative of a regional economic integration organization said that it was important to avoid overlaps with other multilateral environmental agreements but drew attention to the possible added benefits that could be expected from the inclusion of chemicals in Annex III even if they were already covered under other agreements. She suggested too that there could be a need to take account of the outcome of a review of the effectiveness of import licensing systems established under the Montreal Protocol that was then under way.

61. Another representative said that the listing of a chemical in other agreements could be taken into account but stressed that each chemical should nevertheless be evaluated on its own merits and suggested that using the status of a substance in another agreement as a proxy for such evaluation would set an unwelcome precedent. It was also observed that while prioritization could assist the Committee in ordering its agenda, it would not absolve it from considering chemicals included in other agreements.

62. In the light of the views expressed, the Conference endorsed the approach recommended in the secretariat's note, namely, that in the interest of facilitating the work of the Committee, lower priority should be given to chemicals already included in other multilateral environmental agreements. On the other hand, chemicals under consideration for inclusion in such agreements or newly included but subject to lengthy phase-out periods would be treated in the usual way.

4. Risk evaluations under other multilateral environmental agreements and their relevance to candidate chemicals

63. The Conference had before it a note by the secretariat on risk evaluations under other multilateral environment agreements and their relevance to candidate chemicals (UNEP/FAO/RC/COP.3/10).

64. Introducing the item, the representative of the secretariat gave an overview of the document, which described the procedure for risk evaluations conducted under the Montreal Protocol and the Stockholm Convention. She recalled that the Conference of the Parties had agreed at its second meeting that, while risk evaluations undertaken under other agreements might form the basis for national regulatory actions, it was necessary, in order for the Chemical Review Committee to determine if criterion (b) (iii) had been met, for bridging information to be provided and she referred to a working paper (UNEP/FAO/RC/CRC.1/11) on the sort of bridging information that would be helpful. She invited the Conference to consider whether the Chemical Review Committee could determine whether criteria (b) (i) and (b) (ii) of the Rotterdam Convention had been met solely on the basis of risk evaluations performed under either the Montreal Protocol or the Stockholm Convention and also suggested that it might consider criteria for determining whether bridging information was adequate to demonstrate that a final regulatory action had been taken as a consequence of a risk evaluation based on prevailing conditions within the Party taking the action.

65. During the ensuing debate, all of those who spoke agreed that risk evaluations undertaken under the Stockholm Convention and the Montreal Protocol could be considered adequate support for meeting criteria (b) (i) and (b) (ii). The representative of a regional economic integration organization considered that although in principle such evaluations would be adequate for the purposes of meeting criterion (b) (iii) as well, she could accept that bridging information would be necessary; such information, however, would be minimal. Others said that bridging information would be required to meet criterion (b) (iii), but several also stressed that only minimal information might be necessary. One representative said that, although risk evaluations under other agreements should satisfy criteria (b) (i) and (b) (ii), there also had to be an independent analysis by the Chemical Review Committee of each individual submission. A number of representatives pointed out that the current guidelines on bridging information would need to be developed further to provide for consideration specifically of global risk evaluations as experience was gained.

66. In the light of the views expressed, the Conference endorsed the approach recommended in the secretariat's note, namely, that the Chemical Review Committee should consider risk evaluations under the Stockholm Convention and the Montreal Protocol as adequate support for meeting criteria (b) (i) and (b) (ii) and that, in order for criterion (b) (iii) to be met, bridging information providing evidence of the prevailing conditions in the notifying country would have to be submitted.

E. Consideration of a chemical for inclusion in Annex III to the Convention: chrysotile asbestos

67. The Conference had before it a note by the secretariat on inclusion of the chemical chrysotile asbestos in Annex III to the Convention (UNEP/FAO/RC/COP.3/11). The representative of the secretariat introduced the document, drawing attention to its salient points and indicating the contents of its five annexes, containing the outcomes of the review of chrysotile asbestos by the Chemical Review Committee and the draft decision-guidance document for the substance, which had been approved by the Chemical Review Committee and circulated to Parties in April 2006. She also reviewed the extensive history of the consideration of chrysotile asbestos under the PIC procedure, initially in the framework of the Intergovernmental Negotiating Committee and then at the Chemical Review Committee, which, following its consideration of chrysotile asbestos at its second meeting, in February 2006, had decided to recommend to the Conference of the Parties that it should list the substance in Annex III.

68. Inviting comments on the item, the President suggested that, in considering their responses, Parties might wish to satisfy themselves as to four fundamental procedural questions relating to the recommendation from the Chemical Review Committee: first, whether at least one notification from each of two PIC regions had been considered; second, whether the Chemical Review Committee had found that the notifications met the criteria in Annex II and had accordingly recommended that the chemical should be included in Annex III; third, whether the Committee had prepared a draft decision-guidance document; and, fourth, whether the recommendation for inclusion had been forwarded to the Conference together with the draft decision-guidance document.

69. Many of the representatives agreed that all four questions, as framed by the President, had been answered affirmatively and maintained that the substance should therefore be listed. There was wide agreement that all the criteria for listing had been satisfied and that the legal and procedural requirements had been satisfied. Some pointed to the precautionary principle in support of listing, others noted the extensive use of the substance in their countries, both in industry and in roofing, and observed that the information exchange triggered by listing would be important for protecting health and the environment.

70. Many representatives pointed out that failure to list a substance which had satisfied all the criteria for listing could set an unwelcome precedent and undermine the effectiveness of the Convention. In addition, it was argued, listing the substance would encourage the search for safer substitutes.

71. One representative argued that, while the criteria might have been formally met, there was still a need for further scientific study before listing could be approved. While chrysotile asbestos posed an established risk of lung cancer in workers handling the substance, there were effective means of protecting workers and there were no epidemiological data on its adverse effects on the population at large. The substance had excellent mechanical properties and it was possible that currently available alternatives were even more hazardous. Another representative who opposed listing at the current juncture pointed to the lack of sound scientific data on the health risks of chrysotile asbestos: scientific experiments had used mixtures of asbestos fibres and the resulting data were not unambiguous.

72. Some representatives who opposed listing at the current stage suggested that listing might be acceptable at a later date and insisted on the need for consensus in deciding to list a substance. It was also stressed that, although the Chemical Review Committee recommended inclusion, the final decision was the prerogative of the Conference of the Parties.

73. Summarizing the debate, the President noted that the issue raised both scientific and policy concerns and that it was important to find a way of resolving both. Recalling the goal of the Convention, namely, to protect human health and the environment, he reminded the Conference that the effect of listing was merely to trigger information exchange on the substance and not to ban it or even to restrict its use. He proposed that a small group of friends of the President be formed comprising representatives of Parties with particular views on the issue, which should endeavour to reach a consensus decision on inclusion of the chemical in Annex III. If consensus could not be reached at that time, the group should prepare a draft decision for consideration by the Conference and consider the implications for the future effectiveness of the Convention of not including chrysotile asbestos in Annex III.

74. Following the group's deliberations, its chair, Ms. Repetti, reported back to the Conference and outlined the text of a draft decision. She praised the quality of the work of the Chemical Review Committee and reported that while the friends of the President group had achieved certain common

positions, no consensus had been reached by the group on whether to include chrysotile asbestos in Annex III. As reflected in the draft decision prepared by the group, it was recommended that the Conference take up the question again at its fourth meeting.

75. Many representatives expressed their disappointment that consensus had not been reached on the inclusion of chrysotile asbestos in Annex III, saying that it was an unfortunate precedent that had implications for the continued effectiveness of the Convention and that it restricted the available information on the basis of which Parties, particularly those with developing or transitional economies, could make informed decisions on the use of that chemical.

76. One representative, supported by another, said that the mandate of the Conference of the Parties did not extend to verifying compliance with the requirements of Article 5 of the Convention on the listing of a chemical in Annex III, which was the prerogative of the Chemical Review Committee, and that the performance of such functions was inconsistent with the status assigned to the Conference under the Convention and set a precedent that might reduce its stature.

77. Many representatives, in the context of Article 14 of the Convention, urged Parties to facilitate the exchange of information on chrysotile asbestos to permit countries to make informed decisions on whether to permit the import of that substance. The representative of Australia stated that his country would be willing to provide assistance in that regard.

78. One representative expressed the view of his country that the decision spoke for itself. Further, his country was of the view that the notifications of regulatory action on the basis of which the Chemical Review Committee had based its recommendation concerning chrysotile asbestos had been valid; the decision, however, had no implications for the validity of any previously considered notifications that might be at issue with respect to the future consideration of whether to include another chemical in Annex III. The Conference, he said, had not reached consensus on that question.

79. Decision RC-3/3, on inclusion of chrysotile asbestos in Annex III to the Convention, as adopted by the Conference, is contained in annex I to the present report.

VI. Issues arising out of previous meetings of the Conference of the Parties

A. Non-compliance

80. The Conference had before it a note by the secretariat on procedures and institutional mechanisms for determining non-compliance with the provisions of the Convention and for the treatment of Parties found to be in non-compliance (UNEP/FAO/RC/COP.3/12).

81. The representative of the secretariat drew the attention of the Conference to article 17 of the Rotterdam Convention on the development and approval of procedures and institutional mechanisms for determining non-compliance, as well as to decision RC-1/10, pursuant to which an open-ended ad hoc working group on article 17 had been convened immediately prior to the second meeting of the Conference of the Parties to prepare for and carry forward deliberations on the issue. He further recalled that by decision RC-2/3, the Conference of the Parties had decided to consider further the procedures and institutional mechanisms on non-compliance for adoption at its third meeting, had decided that the draft text contained in the annex to the decision would be the basis for its further work on the matter at its third meeting, and had invited the Parties to include in their respective delegations to the current meeting at least one expert who would participate in the further work on non-compliance during the current meeting.

82. Following that introduction, the Conference established a working group, chaired by Mr. Denis Langlois (Canada), to continue discussions on non-compliance issues. The group would work concurrently with the plenary sessions of the meeting and its meetings would be conducted in the six official languages of the United Nations.

83. Following the group's deliberations, Mr. Langlois reported to the Conference that, despite many hours of hard work and earnest efforts on the part of all members of the group to reach consensus, the group had regretfully been unable to achieve agreement on a final text for the establishment of a compliance committee. He proposed that the Conference continue discussions on the issue at its fourth meeting using as a basis for those discussions the draft text on the composition of a compliance committee and possible measures in the event of non-compliance on which the group had based its work

during the current meeting. That draft reflected the progress that the group had been able to achieve and, through the use of square brackets around certain text, those areas in which consensus had not been reached. He proposed, and the Conference agreed, to append the draft text in an annex to the decision to be adopted on the item.

84. Decision RC-3/4, on non-compliance, as adopted by the Conference, is contained in annex I to the present report.

B. Study of possible options for lasting and sustainable financial mechanisms

85. The Conference had before it a note by the secretariat on the results of a further study of possible options for lasting and sustainable financial mechanisms (UNEP/FAO/RC/COP.3/13).

86. The item was introduced by the representative of the secretariat, who recalled that, at its second meeting, the Conference of the Parties had considered a study on possible options for lasting and sustainable financial mechanisms which would enable developing countries to implement adequately the provisions of the Convention (UNEP/FAO/RC/COP.2/10), which had been prepared in response to decision RC-1/5. He further recalled that, also at its second meeting, the Conference of the Parties had requested the secretariat to examine in more detail the options set forth in that study, taking into account the discussions on the matter during that meeting, and to report on its findings to the Conference at its third meeting. The note before the Conference at the current meeting reflected the secretariat's efforts in response to that request. He outlined the chapters of the note, which discussed those aspects of implementing the Convention that might entail additional costs at the national level; revisited five of the six existing financial mechanisms that had been reviewed in the study presented to the Conference at its second meeting; and presented three categories of suggested actions that could be taken by individual Parties or by the Conference of the Parties as a whole. He also underscored the significant role to be played by the secretariat in carrying out the actions outlined in the note and highlighted their budgetary implications.

87. In the ensuing discussion, there was general agreement that the note provided an excellent basis for discussion and that the successful implementation of the Convention depended on a sustainable source of funding, especially in developing countries and countries with economies in transition. Nevertheless, there was a divergence of views over which option would be preferable.

88. Many of those who spoke said that maximum use should be made of existing financial mechanisms, with several advocating that they be used in combination. One representative suggested that existing sources of funding had not been sufficiently used to date because of a lack of awareness or understanding of such sources; he therefore urged the secretariat to continue its efforts to inform Parties on how to secure funding. Regarding the options, he said that he supported the use and further development of the Rotterdam Convention voluntary special trust fund and indicated that full use should be made of GEF, the SAICM Quick Start Programme and the Bali Strategic Plan for Technology Support and Capacity-building. He also spoke in favour of increasing bilateral assistance, noting, however, that such assistance was heavily dependent on the prioritization of chemicals issues in the national development plans of developing countries. Another representative expressed concern that the funding available under the Quick Start Programme might be limited and that the Programme's priorities might not be entirely consistent with those of the Rotterdam Convention.

89. One representative expressed the view that an expansion of the existing GEF focal area on persistent organic pollutants to serve a cluster of chemicals conventions and processes was the most promising way forward. Several others, however, noted that GEF funding was available only to cover the incremental costs of activities providing global benefits in a GEF focal area and would not, therefore, fully satisfy the resource needs of the Rotterdam Convention. Another representative said that a new GEF policy on chemicals management had been developed that would improve GEF financial support for Rotterdam Convention activities and suggested that a GEF representative be invited to inform the Conference of new developments in that regard.

90. The representative of a regional economic integration organization said that her organization saw no merit in establishing a stand-alone financial mechanism under the Convention. Given that sound chemicals management in developing countries was not always adequately reflected in development cooperation allocations and was rarely a priority in national requests for development support, she suggested that linking implementation of the Convention more closely with the achievement of the Millennium Development Goals would improve access to existing financial mechanisms. Another representative also opposed the idea of establishing a stand-alone financial mechanism for the

Convention but was in favour of enhancing the Convention's voluntary special trust fund. Another recommended that at that stage all options should remain open for consideration, including the Montreal Protocol's Multilateral Fund as described in chapter III, section B, of document UNEP/FAO/RC/COP.3/13.

91. Another representative said that building national capacities to manage chemicals under any multilateral environmental agreement, including the Montreal Protocol, would increase the capacity of countries, especially developing ones, to manage all hazardous substances.

92. One representative, speaking on behalf of a group of countries, drew attention to some of the difficulties faced by developing countries in terms of coordinating and pooling resources for the implementation of the different chemicals and wastes conventions and said that the Convention needed its own lasting and sustainable financial mechanism. Another representative shared that view, noting that existing financial mechanisms were limited in scope and difficult to access. She expressed the hope that donors would increase contributions to the Convention's voluntary special trust fund.

93. The Conference agreed to establish a contact group, to be chaired by Mr. Josef Buys (Belgium) and Ms. Francisca S. Katagira (United Republic of Tanzania), to discuss the issue and to prepare a draft decision on the item for consideration by the Conference of the Parties.

94. Decision RC-3/5, on the financial mechanism, as adopted by the Conference, is contained in annex I to the present report.

C. Regional and national delivery of technical assistance

95. The Conference had before it notes by the secretariat on regional and national delivery of technical assistance (UNEP/FAO/RC/COP.3/14), technical assistance under the Rotterdam Convention (UNEP/FAO/RC/COP.3/15) and a summary of regional, subregional and national meetings undertaken in support of the ratification and implementation of the Rotterdam Convention (UNEP/FAO/RC/COP.3/INF/11). The documents had been prepared in response to decision RC-2/4, annex I of which contained a work plan for 2006 on the regional and national delivery of technical assistance.

1. Technical assistance activities

96. The representative of the secretariat introduced the note on regional and national delivery of technical assistance (UNEP/FAO/RC/COP.3/14) and outlined at some length the technical assistance activities undertaken in support of the ratification and implementation of the Convention. Those activities had included regional and subregional training workshops across the six PIC regions to provide practical training to designated national authorities on the key operational elements of the Convention; national and small subregional workshops to facilitate a national dialogue and provide an opportunity to identify the elements of national action plans or strategies on the ratification and implementation of the Convention, covering such topics as notifications of final regulatory action, import and export responsibilities and information needs and management; and meetings designed to promote ratification of the Convention by Parties and non-Parties with low levels of Convention implementation. Participants in the meetings had reported that they had addressed a number of their needs and a number of countries had subsequently made significant progress towards completing national action plans or strategies. A key component of the national action plans or strategies was identification by countries of their needs and priorities and a consideration of how those might best be addressed,

97. A major factor in the success of the regional delivery of technical assistance had been cooperation with the regional offices of FAO and UNEP. Further positive collaboration had taken place with, among others, the secretariats of the Basel and Stockholm Conventions and the World Customs Organization. A key contribution to working with partners was the continuing development of the information materials contained in the resource kit and the guidance to designated national authorities, which had been updated to reflect experience gained.

98. Remaining hurdles to implementation of the Convention included changes at the national level in personnel involved in the implementation of the Convention and a lack of inter-ministerial communication and coordination with regard to the chemicals-related conventions. The current programme of activities was aimed at addressing those challenges in a number of ways, for example through the resource kit and the electronic learning tool that was under development, and it was hoped

that national action plans or strategies would continue to be developed and would provide an opportunity to facilitate inter- and intra-ministerial cooperation.

99. Following the secretariat's presentation, the representative of Switzerland recalled that his country had earmarked, through the Convention's voluntary special trust fund, \$90,000 for a pilot programme to assist countries in developing national plans for the implementation of the Convention. Under the programme, executed by UNITAR, training had been undertaken in Benin, Côte d'Ivoire, Ecuador, Ethiopia, Guinea and Mongolia. To maintain the momentum of this work, Switzerland would finance a further two projects, to take place during the intersessional period, using earmarked resources already available in the voluntary special trust fund. A number of representatives expressed their appreciation to the Government of Switzerland for its support for technical assistance activities under the Convention.

100. The representative of UNITAR said that the organization's work on the pilot programme mentioned by Switzerland had drawn on its action plan methodology. Workshops had been held in each of the pilot countries, with designated national authorities playing a key role in training. A guidance document on the development of an action plan for implementation of the Rotterdam Convention was currently in draft form and would be revised based on lessons learned in the pilot countries.

101. In the ensuing discussion, a number of representatives, particularly from developing countries and countries with economies in transition, praised the comprehensive report made by the secretariat and expressed their appreciation for the wide range of activities being undertaken to extend technical assistance and their gratitude to the donors for financing such activities.

102. A number of representatives observed that translating political will to implement the Convention into action in their countries would require progress in certain areas such as cooperation and communication between organizations and bodies at the national level; capacity-building to assist countries in developing implementation strategies; support and advice in administering the technical, legal and administrative aspects of the Convention and carrying out risk assessments; specialized training for customs officials; seminars and workshops at the national, regional and subregional levels; and enhanced country-to-country information sharing as an element of South-South cooperation. The representative of the Basel Convention said that effective cooperation with FAO and UNEP was taking place through a number of its regional centres and was expected to be extended to others.

103. One representative asked whether FAO and UNEP saw their regional country offices as effective mechanisms for the regional delivery of technical assistance in support of the Rotterdam Convention. The representative of FAO said that the organization's regional plant protection officers already gave advice on such matters as pesticide management and thus a number of activities related to the Rotterdam Convention were an extension of their existing mandate, though there were no plans to expand the regional offices of FAO to widen the range of Convention-related activities. The representative of UNEP said that, as with FAO, UNEP took advantage of resources and expertise already present in its regional offices; broadening that involvement into increased technical assistance support, however, would have budgetary implications and was not being contemplated at that stage.

104. The Conference noted the progress made by the secretariat in the implementation of decision RC-2/4 and acknowledged the valuable support of the countries that had made contributions to the voluntary special trust fund, allowing technical assistance activities to be undertaken.

2. Programme of 2007–2008 technical assistance activities

105. The representative of the secretariat then introduced the note on technical assistance under the Convention budget and the work plan for the biennium (UNEP/FAO/RC/COP.3/15), explaining that it set out a detailed programme of technical assistance activities for the biennium 2007–2008 as requested in decision RC.2/4, and outlined in detail the issues covered in the document. In particular, he noted the goal of the proposed programme of work, which built on the previous programme but moved away from regionally-based training to activities tailored to the specific needs of individual countries or small groups of countries related to specific aspects of the Convention. Reviewing the four chapters of the note, he drew attention to the role of the resource kit in providing technical assistance and the modalities proposed for helping countries identify their needs and priorities and develop national action plans or strategies, noting that some 50 developing-country or transition-economy Parties had not yet developed such plans or strategies. He also highlighted the focus in the programme on working with partners, observing that regional and subregional organizations would be encouraged to integrate Convention issues into their work. Finally, the note proposed an approach for identifying countries eligible for participation in technical assistance activities and suggested priorities for the delivery of the work programme.

106. Inviting comments on the paper, the President noted that the proposed approach placed a greater responsibility on Governments to define their technical assistance needs and to be proactive in seeking assistance to meet those needs. He also noted that delivery of the programme would be contingent on the availability of funds in the voluntary special trust fund.

107. In the ensuing debate, a number of representative expressed support for the approach proposed in the document and for the elements of the programme of work for 2007–2008.

108. The representative of a regional economic integration organization expressed support for the country-driven approach in technical assistance activities. She encouraged developing countries to integrate chemicals management into their national development strategies and environmental action plans and the secretariat to facilitate further cooperation and dialogue between developing country Parties and donors. In that respect, she said, the role of the Conference was to indicate priorities rather than to leave that task to individual donors through earmarked pledges. In addition, greater efficiency in the use of available resources could be fostered by increased coherence, complementarity and partnership between implementing organizations providing country-level technical assistance. She also expressed concern about the poor import response rate and said that countries with poor response records should be encouraged to participate in proposed workshops. Finally, she noted that contributions had been made to the voluntary trust fund by the Netherlands (100,000 euros) and the European Commission (50,000 euros); further contributions would be made by the Czech Republic (\$8,000 in 2007), Spain (25,000 euros in 2007) and Sweden (approximately 40,000 euros in 2006).

109. One representative expressed concern about the emphasis placed in the proposed programme of work on the development of national action plans or strategies for the implementation of the Convention, given that Parties were under no obligation to develop such plans or strategies. He questioned, for example, why Parties that had developed national action plans or strategies should be given priority for participation in national and subregional thematic meetings and suggested that the prerequisite for participation should simply be the identification of a set of national priorities. The representative of the secretariat explained that, while Parties were under no obligation to develop national action plans or strategies, the proposed thematic meetings would be developed in response to priorities identified by countries. It was hoped that through the thematic meetings groups of countries could adopt a common approach to solving their common problems.

110. Another representative stated that regional imbalances in the delivery of technical assistance needed to be addressed, suggesting by way of example that more attention seemed to have been given to the member countries of the Sahelian Pesticides Committee than to the other countries of West Africa. She noted the further problem that many developing countries, while aware of the importance of the Convention, found it difficult to allocate resources to its implementation in the face of other very pressing priorities.

111. In response to a query about the constitution of a group of regional experts formed in 2005, the representative of the secretariat said that the selection of members of the informal group had been based on their expertise and their willingness to participate in, for example, regional workshops, noting that they assisted other countries in their own regions, offering an opportunity for South-South cooperation, and made their time available to the Convention, which covered their expenses only.

112. The representative of WHO said that poison control centres could play an important role in the identification of hazardous chemical formations and offered partnership opportunities that could be an element of a future programme of work.

113. Decision RC-3/6, on regional and national delivery of technical assistance, as adopted by the Conference, is contained in annex I to the present report.

D. Cooperation with the World Customs Organization

114. The Conference had before it a note by the secretariat on cooperation with the World Customs Organization (UNEP/FAO/RC/COP.3/16).

115. In introducing the item, the representative of the secretariat recalled the provisions of article 13 of the Rotterdam Convention and summarized developments with regard to the assignment of customs codes under the WCO Harmonized Commodity Description and Coding System to chemicals in Annex III to the Convention by the World Customs Organization and the secretariat's cooperation with that organization. She drew attention to the appendix to the secretariat's note, which contained the list of Harmonized System codes which currently applied to chemicals listed in Annex III to the Convention.

116. A number of representatives expressed appreciation for the secretariat's cooperation with the World Customs Organization and encouraged it to continue working closely with that organization. Several representatives suggested that the appendix listing the Harmonized System codes assigned to chemicals in Annex III should be revised and clarified. A number of representatives emphasized the importance of continuing to provide training to customs officials as part of technical assistance activities and encouraged the secretariat to look for synergies with other multilateral environment agreements when organizing such training.

117. One representative, noting that once the first round of amendments to the Harmonized System codes entered into force on 1 January 2007, the codes would not be revised again until 2012, asked whether it would be possible for the secretariat to negotiate for future Annex III chemicals to be included in the Harmonized System explanatory notes. A number of representatives asked to what extent the secretariat was cooperating with the UNEP Green Customs Initiative.

118. The representative of the secretariat said that the secretariat was continuing to work with the World Customs Organization on the provision of training to customs authorities on how to determine what custom codes to use and how to identify them on shipping documents. She also said that the secretariat was working with the Green Customs Initiative on the preparation of information material and workshops. She said that the secretariat would discuss with the World Customs Organization the possibility of including new chemicals listed in Annex III in the Harmonized System explanatory notes, but pointed out that, although a useful source of information, those notes were not legally binding. She said too the secretariat would rework the table contained in the appendix.

119. The Conference endorsed continued cooperation between the secretariat and the World Customs Organization in assigning customs codes to the chemicals in Annex III and in the training of national customs authorities and noted that the Harmonized System codes for chemicals in Annex III would enter into force on 1 January 2007.

E. Cooperation with the World Trade Organization

120. The Conference had before it a note by the secretariat on cooperation with the World Trade Organization (WTO) (UNEP/FAO/RC/COP.3/17) and an information document containing a report by the chair of the WTO Committee on Trade and Environment in Special Session to the Trade Negotiations Committee on the former's meeting in February 2006 (UNEP/FAO/RC/COP.3/INF/8).

121. The representative of the secretariat introduced the note, reviewing progress made in implementation by the secretariat of the actions requested by the Conference of the Parties in its decision RC-1/15.

122. In the ensuing debate, representatives noted the importance of information exchange between the Rotterdam Convention and WTO and the need for coherence between the Convention's provisions and WTO rules. The secretariat was encouraged to continue its cooperation with WTO and to pursue its application for observer status in the Committee on Trade and Environment in Special Session. One representative suggested that the secretariat should also seek observer status in the regular sessions of the Committee on Trade and Environment, given the relevance of the topics addressed in the Committee's regular sessions to the work of the Convention secretariat.

123. The representative of WTO updated the information contained in the information note on contacts between the secretariat and WTO, drawing attention to a further meeting in July 2006, and, on the issue of observer status, explained that requests for such status, in both special and regular sessions of the Committee on Trade and Environment, were considered by the organization's General Council as a matter of general procedure and not on the basis of specific requests from individual organizations.

124. The Conference took note of the progress in the implementation of decision RC-1/15 on cooperation between the secretariat and WTO.

F. Study on the advantages and disadvantages of using the euro, the Swiss franc or the United States dollar as the currency of the accounts and budget of the Convention

125. The Conference had before it a note by the secretariat containing a study on the advantages and disadvantages of using the euro, the Swiss franc or the United States dollar as the currency of the accounts and budget of the Convention (UNEP/FAO/RC/COP.3/18), which it had undertaken in response to decision RC-1/17. The representative of the secretariat introduced the study, correcting an error in table 2, on real currency exposure, where the euro exposure figure of 938,714.00 should have been presented as a negative figure. He noted that the document contained estimates of exposure to currency fluctuations over a short period only and that it described three options for limiting currency exposure. He noted that neither UNEP nor FAO was currently fully able to budget, operate, account for or report on its funds in euros or Swiss francs. FAO had a split assessment system, but it operated it only for its Regular Programme, where the size of its operations made the system viable.

126. In the ensuing discussion, attention was drawn to the practice in other organizations of operating in multiple currencies. It was noted, in that context, that the United Nations had recognized the importance of matching budgets to the currencies in which the bulk of exposure occurred. While one representative favoured the option of establishing a contingency fund, a number of others felt that there were insufficient grounds to change the status quo and that the issue should be revisited at the Conference's fourth meeting, by which time more information might be available on which to base a reasoned decision.

127. In the light of the views expressed, the Conference agreed to defer the issue to its fourth meeting.

128. Decision RC-3/7, on further study of the advantages and disadvantages of using the euro, the Swiss franc or the United States dollar as the currency of the accounts and budget of the Rotterdam Convention, is contained in annex I to the present report.

G. Results of the study on improving cooperation and synergies between the secretariats 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

H. Supplementary analysis of the financial and administrative arrangements which would be required to implement any changes which the secretariats 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 and the United Nations Environment Programme may propose

129. The Conference agreed to consider items 6 (g) and 6 (h) together. The Conference had before it notes by the secretariat on events and documents related to enhancing synergies between the secretariats of the chemicals and waste conventions (UNEP/FAO/RC/COP.3/25 and Add.1), a study on improving synergies, including consideration of common structures (UNEP/FAO/RC/COP.3/19) and a supplementary analysis of financial and administrative arrangements (UNEP/FAO/RC/COP.3/20). The Conference also had before it recommendations on improving cooperation and synergies provided by the Open-ended Working Group of the Basel Convention (UNEP/FAO/RC/COP.3/INF/10); decision SC-2/15 of the Conference of the Parties to the Stockholm Convention, on synergies (UNEP/FAO/RC/COP.3/INF/5); copies of communications of the secretariat related to synergies (UNEP/FAO/RC/COP.3/INF/7); and a supplementary report on cooperation and coordination from the President of the Stockholm Convention (UNEP/FAO/RC/COP.3/INF/18).

130. Introducing the item, the representative of the secretariat outlined the chronology of events associated with the development of synergies between the Basel, Rotterdam and Stockholm Conventions, drawing particular attention to Stockholm Convention decision SC-2/15 on the establishment of an ad hoc joint working group to further the development of cooperation and coordination among the three conventions.

131. In the ensuing discussion a number of representatives noted the advantages to be gained from increased cooperation between the chemicals and wastes-related conventions, given the complementary and interdependent nature of their work. One representative said that the primary aim of such cooperation should be to facilitate integrated policy making and implementation, rather than to cut costs, and he cautioned against steps that called into question the legal autonomy of the three conventions. A representative said that much work remained to be done on what was meant by synergies and how it might be reflected in concrete action.

132. It was felt that the Conference should focus its attention at the current meeting on procedural matters related to its involvement in the ad hoc joint working group, rather than involve itself in extended discussion on matters of substance, which could be dealt with by the working group itself.

133. The representative of a regional economic integration organization said that increased cooperation and synergy in the chemicals and waste cluster would raise the profile of the cluster in international environmental policy making and would be in line with the current United Nations reform process. The move towards greater cooperation should be subject to a process that was transparent and inclusive, leading eventually to more effective implementation of all three conventions.

134. One representative, speaking on behalf of a group of African countries, hoped that moves towards greater synergy would realize financial benefits that might, for example, lead to more resources being channelled towards capacity-building in the African region and greater employment of qualified Africans within the secretariats of the three conventions.

135. Some representatives spoke of the importance of achieving a representative balance among the 15 Rotterdam Convention members on the ad hoc working group; another suggested that three members be drawn from each of the five PIC regions. One representative indicated that the term synergies was undefined and that the process should aim for coordination and cooperation.

136. The Conference took note of the documents on cooperation and synergy and agreed to set up a contact group, co-chaired by Mr. Jan-Karel Kwisthout (the Netherlands) and Mr. Guillermo Valles (Uruguay), to address procedural issues related to the proposed ad hoc joint working group, including any aspects of the proposed process that might require clarification. The contact group would base its discussions on Stockholm Convention decision SC-2/15 and the conference room paper to be distributed and would draft a decision for consideration by the Conference.

137. Decision RC-3/8 on cooperation and coordination between the Rotterdam, Basel and Stockholm Conventions, as adopted by the Conference, is contained in annex I to the present report.

I. Mechanisms under the Convention for information exchange

138. The Conference had before it a note by the secretariat containing in its annex a paper on mechanisms under the Convention for information exchange (UNEP/FAO/RC/COP.3/21).

139. The representative of the secretariat introduced the paper, noting that it had been prepared by the secretariat in response to a request by the Conference at its second meeting and outlining its four chapters, which described the information exchange provisions of the Convention and indicated how they were being met; defined country needs with respect to information required to meet obligations under the Convention; outlined the current experience in the implementation of the information exchange provisions; and set out conclusions and described possible next steps.

140. The President recalled that the Chemical Review Committee at its second meeting had decided to forward the text of the decision guidance document on chrysotile asbestos to the Conference with the understanding that the Conference would review the mechanisms under the Convention that provided for information exchange, such as those under articles 7 and 14 and the clearing house mechanism, which could address the issue of whether information on alternatives and comparative evaluation of alternatives and chrysotile should be included.

141. Introducing a conference room paper on the issue, which had been submitted by the European Union, its member States, the accession countries Bulgaria and Romania and Norway, the representative of the European Union expressed support for the overall conclusions stated in the secretariat's paper but said that the possibilities for providing information were even more extensive than those presented in the paper, particularly as regarded chemicals listed in Annex III.

142. There was general agreement with the conclusions drawn in the paper by the secretariat, in particular the conclusion that better use should be made of existing information exchange mechanisms,

and with the additional points raised in the conference room paper. Several representatives pointed out that Parties should be encouraged to take full advantage of existing information exchange mechanisms by both seeking and providing information, especially relating to risk management and alternatives. One representative said that information exchange mechanisms should be regularly reviewed to ensure their maximum effectiveness and encouraged the secretariat to work with the secretariats of the other chemicals and wastes conventions to improve the existing system of information management. Another representative underscored the importance of information sharing for developing countries and noted that internet access was limited in many such countries. Another stressed the important role played by notifications in terms of promoting information exchange and transparency and urged Parties to take action in that regard.

143. The Conference took note of the paper prepared by the secretariat and the conference room paper submitted by the European Union, its Member States, the accession countries Bulgaria and Romania and Norway and agreed that Parties should be encouraged to make full use of the information exchange provisions under the Convention. In addition, it requested the secretariat, as appropriate, to continue to work with the secretariats of the Basel Convention and the Stockholm Convention on broader issues such as information and chemicals management.

VII. Report on the activities of the Secretariat

144. The Conference had before it a note by the secretariat on its activities over the period from 1 May 2005 to 30 April 2006 undertaken in accordance with its mandate under the Convention and as directed by the Conference of the Parties (UNEP/FAO/RC/COP.3/22). It also had before it three information documents, one containing a list of designated national authorities (UNEP/FAO/RC/COP.3/INF/2), one containing communications by the secretariat (UNEP/FAO/RC/COP.3/INF/7) and the third a list of official contact points (UNEP/FAO/RC/COP.3/INF/13).

145. The representative of the secretariat introduced the note, drawing attention to its salient points. She reviewed the activities carried out by the secretariat over the reporting period, as mandated under article 19 of the Convention, and pointed out that in some areas the secretariat had been hampered by a lack of staff resources from further extending its activities. That applied, in particular, to aspects of technical assistance such as following up with countries whose notifications of final regulatory action or supporting documentation were incomplete and conducting further outreach activities to assist Parties in making submissions for the listing of severely hazardous pesticide formulations. In addition, although the secretariat had reminded Parties of outstanding import responses on a number of occasions, it had not been able to conduct detailed follow-up with individual Parties. She urged those Parties spotting errors in the lists of designated national authorities or official contact points to notify the secretariat so that they could be corrected accordingly.

146. The Conference took note of the documents and the review of the secretariat's activities over the reporting period.

VIII. Programme of work and consideration of the proposed budget for the 2007–2008 biennium

147. The Conference had before it a note by the secretariat containing, in its annex, a financial report and review of the staffing situation in the secretariat over the period from January 2005 to 30 May 2006 (UNEP/FAO/RC/COP.3/23 and Corr.1) and a note by the secretariat on the programme of work and proposed budget for the 2007–2008 biennium (UNEP/FAO/RC/COP.3/24 and Corr.1). The representative of the secretariat introduced the documents, highlighting certain points. With regard to the financial report, he noted that some Parties were still in arrears with their contributions and explained that the cost of the third meeting of the Conference of the Parties had been underestimated owing to the inadvertent omission of the conference-servicing costs of the working group on non-compliance. In addition, he noted that savings of some \$900,000 experienced over the reporting period had been due to delays in filling staff posts in the secretariat. With regard to the programme of work and proposed budget, he suggested that, as in previous years, the Conference might wish to refer it to a budget contact group for detailed consideration.

148. In the ensuing discussion, the representative of a regional economic integration organization expressed concern at delays by some countries in paying their contributions, noting that they would cause cash flow problems for the secretariat and hamper its performance.

149. The representative of Argentina argued that application of the United Nations scale of assessments caused an anomaly, in that some developing countries, including his own, were paying contributions higher than those of some developed countries, and reiterated the reservation that his country had made at the first and second meetings of the Conference of the Parties.²

150. The representative of Italy explained that the delay in payment of Italy's contribution as host country had been due to technical and financial formalities inherent in the process for initiating a new international payment. He confirmed that the contribution for 2005 would be received by the secretariat within the next few weeks and assured the Conference that the 2006 contribution would be paid in the first quarter of 2007 and the contribution for 2007 in the second quarter of 2007 and that future contributions would be paid regularly thereafter.

151. The Conference agreed to establish a contact group, to be chaired by Mr. Paul Garnier (Switzerland), to consider the budget and the programme of work.

152. In an interim report on the work of the budget contact group, Mr. Garnier said that the representatives of Brazil and Mexico had indicated that, although they would not oppose the use of the existing scale of contributions based on the United Nations scale of assessments, they wished the report of the meeting to note their view that the current scale of contributions was unbalanced and should reflect the Convention's purpose of assisting developing countries to implement the Convention in accordance with the principle of shared responsibility.

153. In his final report on the work of the contact group, Mr. Garnier introduced the draft decision prepared on the issue for consideration and possible adoption by the Conference and highlighted its essential elements. As the budget was slightly lower than in the previous biennium, assessed contributions had been accordingly reduced. The group had decided to maintain the United Nations indicative scale of contributions for the apportionment of expenses, and had taken note of the positions stated by several countries in that context. Additional provision had also been made in the budget for annual meetings of the Compliance Committee and for the conduct of a currency exchange-rate study. The group had also made recommendations regarding the structure of the budget and the need to harmonize its format with those of the Stockholm and Basel Conventions. Finally, it had decided to maintain a special contingency reserve indexed to salary scale fluctuations, which corresponded to the FAO contribution of staff to the Convention.

154. The representative of Chile, speaking on behalf of the countries of the Latin American and Caribbean region, reiterated the view expressed at the previous meetings of the Conference of the Parties that the scale of contributions did not take into account either the economic and social realities or the capacity to pay of the Parties to the Rotterdam Convention. The group was concerned that those countries that were already Parties to the Convention would therefore be constrained to sacrifice the implementation of important projects so that they could make their contributions, while those countries not yet Parties would be discouraged from ratifying the Convention. Those considerations should be taken into account in future when defining the scale of contributions for multilateral agreements.

155. One representative said that his Government had approved the contributions for the 2007-2008 biennium set out in the proposed budget but would be unwilling to pay any increase in contributions that might arise from a revision of the United Nations scale of assessment by the General Assembly at its sixty-first session. The representative of the secretariat confirmed that the proposed budget was based on the 2006 scale of contributions.

156. Decision RC-3/9, on financing and budget for the biennium 2007-2008, as adopted by the Conference, is contained in annex I to the present report.

IX. Venue and date of the fourth meeting of the Conference of the Parties

157. The Conference agreed to hold its next meeting at FAO headquarters in Rome from 20 to 24 October 2008.

² UNEP/FAO/RC/COP.1/33, para. 59; UNEP/FAO/RC/COP.2/19, para. 121.

X. Election of officers for the fourth meeting of the Conference of the Parties

158. According to rule 22 of the rules of procedure, at each ordinary meeting of the Conference following the first meeting, the election of officers from among the Parties to serve as the Bureau for the following meeting is to take place before the end of the meeting. The officers elected are to commence their terms of office at the closure of the meeting and serve until the closure of the following ordinary meeting, including for any intervening extraordinary meeting.

159. Following consultations by the United Nations regional groups, the Conference elected the following Bureau in accordance with rule 22 of the rules of procedure:

President:	Ms. Andrea Silvina Repetti (Argentina)
Vice-Presidents:	Mr. Barry Reville (Australia)
	Mr. Abdoulaye Traore (Mali)
	Mr. Hamood bin Darwish Al-Hasani (Oman)
	Ms. Daniela Ioana Florea (Romania)

160. Mr. Traore agreed to serve also as Rapporteur.

XI. High-level segment

161. On the afternoon of Thursday, 12 October, and the morning of Friday, 13 October, the Conference convened in the form of a high-level segment attended by ministers and heads of delegations. The segment was based on the theme "Towards full implementation of the Rotterdam Convention: opportunities and challenges". The segment was opened by the President, who welcomed participants.

162. Opening statements were made by Mr. Shafqat Kakakhel, Deputy Executive Director of UNEP, who spoke on behalf of the Executive Director of UNEP, and Mr. Shivaji Pandey, Director of the Plant Production and Protection Division of FAO, speaking on behalf of Mr. Jacques Diouf, Director-General of FAO.

163. Mr. Kakakhel said that the ultimate goal of the Convention, namely, the protection of human health and the environment, would only be fully achieved when all countries had become Parties to it and had achieved national implementation. Parties had already overcome a number of challenges through national decision-making but many were still struggling with implementation, particularly with regard to integrating some of the administrative aspects of the Convention into their national infrastructures. Noting the importance of coordinated implementation of the multilateral environmental agreements, he urged Parties to examine existing chemicals management structures, especially those under the Stockholm and Basel Conventions, and to consider how those structures could be expanded to accommodate the requirements of the Rotterdam Convention. In conclusion, he saluted the dedication of Mr. Van der Graaff, who would soon be leaving his position as joint Executive Secretary of the Rotterdam Convention, and wished him every success in his future.

164. In his statement, Mr. Pandey recalled the importance of pesticides issues in driving development of the Rotterdam Convention and noted, in particular, the continued use in developing countries of pesticides banned or restricted in developed countries and the lack of appropriate regulations on their use. The projected increase in world population would lead to a 60 per cent increase in the demand for agricultural products and a concomitant intensification of the role of pesticides in maintaining sustainable agricultural systems. The Rotterdam Convention alone could not resolve all the problems faced by countries in managing pesticides and FAO was working on other initiatives in that area, among which he noted the FAO Africa Stockpiles Programme, which aimed to rid the continent of all pesticide stockpiles. At the same time, FAO was providing extensive financial support for implementation of the Rotterdam Convention, in particular to fund its technical assistance activities and for the core costs of the secretariat. Full implementation would only be possible when the Convention met all its challenges, among which he noted in particular the lack of infrastructure for the control of industrial chemicals in many countries. He recommended that in facing those challenges, the technical assistance programme should build on existing chemicals-related national and subregional programmes and activities and he therefore looked forward to learning from the successful experiences of Parties in overcoming the

challenges they faced. In closing, he too praised Mr. Van der Graaff, citing his untiring commitment to the Rotterdam Convention.

165. Following those opening addresses, statements were made by ministers for the environment, health or foreign affairs or their representatives from the following countries, listed in the order of presentation: Jordan, Benin, Switzerland, Finland, Togo, Cameroon, Ukraine, Bulgaria, Ghana, Liberia, Mauritania, Thailand, European Community, Germany, Argentina, Nigeria, Uruguay, Italy, Rwanda, Ecuador, Chad, Sudan, Japan, Venezuela (Bolivarian Republic of), Mali, Mexico, Chile, United Republic of Tanzania, Burkina Faso, United States of America and Pakistan. Statements were also made by representatives of the secretariat of the Basel Convention, WHO and the non-governmental organization Kobe Research Institute on Multilateral Environmental Agreements.

166. In her statement, the representative of Finland conveyed an offer by her Government to host the first meeting of the ad hoc joint working group on synergies and improved cooperation and coordination between the Basel, Rotterdam and Stockholm Conventions. In his statement, the representative of the European Community said that the Community had earmarked over 800 million euros in aid for environment and sustainable natural resource management, including energy, over the next seven years. The contributions would start to come on stream in 2007 and would include support for chemicals, especially through regional activities and international processes.

167. Following the statements, the President summarized the key points which had been raised by speakers. The President's summary is set out in annex III to the present report.

XII. Other matters

168. On Wednesday, 11 October, the President announced that, as Congo had deposited its instrument of ratification on 13 July 2006, it had become the 109th Party to the Convention.

XIII. Adoption of the report

169. The Conference adopted the present report on the basis of the draft report which had been circulated during the meeting, as amended and on the understanding that finalization of the report would be entrusted to the Rapporteur, working in conjunction with the secretariat.

XIV. Closure of the meeting

170. During the closing ceremonies, the representative of the United States of America asked that the present report reflect the disappointment of his country with the decision taken by the Conference of the Parties on a financial mechanism for the Convention, saying that the text of the decision was inconsistent with recent decisions of the GEF Council and the fourth replenishment of the Facility, in connection with which focal area allocations had already been put in place for the next four years.

171. The usual exchange of courtesies followed, during which many representatives thanked and praised Mr. Van der Graaff for his many years of dedicated service. Mr. Van der Graaff in turn, reviewing the history of prior informed consent and noting the successes to date, made a heartfelt plea for the continued strengthening of the Convention and thanked all those who had made his work possible over the years.

172. The meeting was then declared closed at 7.20 p.m. on Friday, 13 October 2006.

Annex I

Decisions adopted by the Conference of the Parties at its third meeting

RC-3/1: Confirmation of the appointment of the expert designated to the Chemical Review Committee by the Government of the Democratic Republic of the Congo

The Conference of the Parties,

Recalling its decision RC-2/1, in which, among other things, it requested the Government of the Democratic Republic of the Congo to designate an expert to serve on the Chemical Review Committee on an interim basis for the same term as would have been served by the expert who was to be designated by the Government of Gabon, pending formal confirmation of the appointment of the expert by the Conference of the Parties at its third meeting, and, for that purpose, to provide through the secretariat the name and relevant qualifications of the expert to the Parties by 1 December 2005,

Decides to confirm the appointment of the expert designated by the Government of the Democratic Republic of Congo, named below, to serve as a member of the Chemical Review Committee.

Designated expert

Africa

Democratic Republic of the Congo	Mr. Alain Donatien Buluku Professeur de Chimie Université Pédagogique de Kinshasa
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RC-3/2: Nomination of Governments to designate experts for the Chemical Review Committee

The Conference of the Parties,

Recalling its decision RC-1/6 on the establishment of the Chemical Review Committee,

1. *Decides* that each of the following Parties shall designate an expert to serve on the Chemical Review Committee for a period of four years commencing on 1 October 2007, pending the formal confirmation of the experts by the Conference of the Parties at its fourth meeting:

African States:	Benin, Gabon, Nigeria, South Africa;
Asian and Pacific States:	China, India, Japan, Sri Lanka;
Central and Eastern European States:	Czech Republic;
Latin American and Caribbean States:	Chile, Mexico;
Western European and other States:	Austria, France, Norway;

2. *Requests* each Party named in paragraph 1 to provide through the secretariat the name and relevant qualifications of its designated experts to the Parties by June 2007.

RC-3/3: Inclusion of chrysotile asbestos in Annex III to the Convention

The Conference of the Parties,

Noting with appreciation the work of the Chemical Review Committee in its consideration of chrysotile asbestos, in particular the technical quality and comprehensiveness of the draft decision guidance document,

Having considered the recommendation of the Chemical Review Committee to make chrysotile asbestos subject to the prior informed consent procedure and accordingly to list it in Annex III to the Rotterdam Convention,

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

Aware that the failure to reach consensus so far has created concerns in many Parties,

1. *Decides* that the agenda for the fourth 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
Chrysotile asbestos	12001-29-5	Industrial

2. *Decides* that the requirements set out in article 5, including the criteria set out in Annex II to the Convention as referenced 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 chrysotile asbestos to assist others, in particular developing countries and countries with economies in transition, to make informed decisions regarding the import and management of chrysotile asbestos and to inform other Parties of those decisions using the information exchange provisions laid down in Article 14.

RC-3/4: Draft text of the procedures and mechanisms on compliance with the Rotterdam Convention

The Conference of the Parties,

Recalling article 17 of the Rotterdam Convention,

Mindful that the procedures and mechanisms called for under article 17 will help address issues of non-compliance, including by facilitating assistance and providing advice to Parties facing compliance issues,

1. *Decides* to consider further at its fourth meeting for adoption the procedures and institutional mechanisms on non-compliance required under article 17 of the Convention;
2. *Decides* also that the draft text contained in the annex to the present decision shall be the basis for its further work on the procedures and institutional mechanisms at its fourth meeting.

Annex to decision RC-3/4

Draft text of the 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. In electing members, due consideration shall be given to the principle of equitable geographical representation of the regional groups of the United Nations.

[2 alt. 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 distribution, including ensuring a balance between developed and developing Parties, drawn from the following regional groups of the United Nations:

African States: [xx]

Asian and Pacific States: [xx]

Central and Eastern European States: [xx]

Latin American and Caribbean States: [xx]

Western European and other States: [xx]

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

Election of members

4. At the meeting at which the Committee is established, the Conference of the Parties shall elect half [eight] the members of the Committee for one term and half [seven] the 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 decision, “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 who 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, 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 a 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 respect 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.

10/11. 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 the 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 two-thirds majority of the members present and voting or by 8 members, whichever is greater.]

10 members of the Committee shall constitute a quorum.

12. Submissions may be made in writing, through the secretariat where subparagraph[s] (a) [and (b)] appl[y][ies], by:

(a) A Party which 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 has concerns or is affected by a failure to comply with the Convention's obligations by another Party [with which it is directly involved under the Convention]. A Party intending to make a submission under this 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;]

[(c) The secretariat, if, while acting pursuant to its functions under [articles 4, 5, and 10 of] the Convention, it becomes aware of possible difficulties for any Party in complying with its obligations under [articles 4, 5, and 10 of] the Convention [or when it receives submissions from individuals or organizations having reservations about a Party's compliance with its obligations under the Convention] provided that the matter has not been resolved within three months by consultation with the Party concerned.]

13. 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.

14. [The secretariat shall, within two weeks of its receiving any submission made under subparagraph 12 (b) or making a submission under subparagraph 12 (c) 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.]

15. Parties whose compliance is in question may present responses or comments at every step of the proceedings described in the present decision.

16. Without prejudice to paragraph 15 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.]

17. The Committee may decide not to proceed with submissions which it considers to be:
- (a) De minimis;
 - (b) Manifestly ill-founded.

Facilitation

18. The Committee shall consider any submission made to it in accordance with paragraph 12 above with a view to establishing the facts and the root causes of the matter of concern, and to assisting in its resolution. 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

19. If, after undertaking the facilitation procedure set forth in paragraph 18 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, it may recommend to the Conference of the Parties that it consider [appropriate] [the following] measures, to be taken in accordance with international law, to attain compliance[, including]:

- (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 between all Parties;
- (c) Issuing a statement of concern regarding possible future non-compliance;
- (d) Issuing a statement of concern regarding current non-compliance;
- (e) Requesting the Executive Secretary to make public cases of non-compliance
- [(f) Ineligibility to serve as the President of the Conference of the Parties or as a member of the Bureau until the non-compliant Party concerned has fulfilled its obligations;]
- (g) Recommending that a non-compliant situation be [remedied][addressed]by the non-compliant Party.

Handling of information

21. [The Committee may receive relevant information, through the secretariat, from the Parties [and from other relevant sources.]]

[21 alt: As regards paragraph 12 submissions, the Committee may only receive information:

- (a) Submitted by the secretariat from Parties pursuant to paragraphs 12 and 16;
- (b) Obtained by the secretariat from Parties while acting pursuant to its functions under the Convention; and
- (c) With the consent of the Party concerned, as requested by the Committee from any source.]

22. For the purposes of examining systemic issues of general compliance under paragraph 25, 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; and
- (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 and any person involved in the deliberations of the Committee shall protect the confidentiality of information received in confidence.

Monitoring

24. The Compliance Committee should monitor the consequences of action taken in pursuance of paragraphs 18 or 19 above.

General compliance issues

25. The Compliance 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 with respect to 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 other relevant multilateral environmental agreements

28. Where relevant, the Committee may solicit specific information, upon request by the Conference of the Parties, or directly, from compliance committees dealing with hazardous substances and wastes under the auspices of other 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 decision.

Relationship with settlement of disputes

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

RC-3/5: Financial mechanism

The Conference of the Parties,

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

RC-3/6: Regional and national delivery of technical assistance

The Conference of the Parties,

Recalling the comprehensive proposal for the regional delivery of technical assistance considered at the first meeting of the Conference of the Parties and reflected in decisions RC-1/14 and RC-2/4 on technical assistance adopted by the Conference of the Parties at its first and second meetings respectively,

Also recalling the provisions of the Rotterdam Convention on technical assistance, especially its article 16,

Noting that the hazardous chemicals and pesticides covered by the Convention contribute to poverty through their adverse effects on human health and environmental resources and that effective implementation of the Convention contributes to meeting the Millennium Development Goals,

Stressing the importance of technical assistance in enabling Parties, especially developing countries, in particular the least developed among them, and countries with economies in transition, to implement the Convention,

Emphasizing the need to promote coordination and cooperation among international organizations, conventions and programmes, in particular the Basel Convention on the Control of Transboundary Movements of Hazardous Wastes and their Disposal, the Stockholm Convention on Persistent Organic Pollutants, and the Strategic Approach to International Chemicals Management, as well as among Parties, designated national authorities, customs services and other relevant organizations in the provision of technical assistance,

Recalling the role of the secretariat of the Convention as laid down in its article 19,

Emphasizing the need to achieve effective and coordinated delivery of technical assistance,

Noting with appreciation the work of the secretariat in the implementation of decisions RC-1/14 and RC-2/4 on technical assistance as outlined in the note by the secretariat on the subject,⁴

1. *Requests* Parties that are in a position to do so to contribute to the Convention's Voluntary Special Trust Fund in support of technical assistance activities;
2. *Adopts* the programme of work for the regional and national delivery of technical assistance for 2007–2008 and the proposed priorities set forth in the annex to the present decision;
3. *Requests* the secretariat to implement its technical assistance in line with article 19 of the Convention and to focus the programme of work on issues and needs identified by developing countries and countries with economies in transition and to pay particular attention to the needs of Parties in meeting the requirements of paragraph 2 of article 10;
4. *Requests* the Bureau, working with the secretariat, to review progress and priorities with respect to specific technical assistance activities at the midpoint of the biennium;
5. *Requests* the secretariat to report to the Conference of the Parties at its fourth session on the experience gained in the regional and national delivery of technical assistance, also taking into account the activities of donors and implementing organizations, information exchange on technical assistance activities and opportunities for joint activities with the secretariats of the Basel Convention on the Control of Transboundary Movements of Hazardous Wastes and Their Disposal, the Stockholm Convention on Persistent Organic Pollutants and the Strategic Approach to International Chemicals Management;
6. *Also requests* the secretariat to prepare a detailed costed programme of activities for the regional and national delivery of technical assistance, based on the level of resources likely to be available from all sources, for the biennium 2009–2010 for consideration by the Conference of the Parties at its fourth meeting, taking into account the findings concerning activities of other donors in order to enable closer cooperation between the secretariat and other donors.

⁴ UNEP/FAO/RC/COP.3/14.

Annex to decision RC-3/6

I. Elements of a programme of work for 2007–2008 on the regional delivery of technical assistance

1. The present annex contains a programme of work for 2007–2008 for the regional delivery of technical assistance based on the experience gained. It sets out specific activities to be undertaken in responding to the needs of countries and the partners that would be involved in delivering these activities. In addition, it notes the importance of the need to develop measures of success or indicators of progress in order to have an understanding of the effectiveness of these activities. The appendix to the present annex contains a tabular summary of the estimated costs associated with the implementation of this programme of work.

A. Resource kit

2. The resource kit will be updated to reflect experience gained in its use, especially regarding the development of new documents and the revising and reprinting of existing materials. As practical tools to assist countries, further case studies based on the experience of selected countries in the implementation of specific aspects of the Convention, for example the development of legal or administrative infrastructure and integration with work on the implementation of the Stockholm Convention, will be developed. Continued efforts will be made to ensure that as many of the documents as possible are available in six languages.

3. The training materials set out in section D of the resource kit will be evaluated, in particular the prototype of the interactive compact disk to facilitate continuous and self-directed training at the national level, in order to meet the challenges that arise from frequent changes in designated national authority in some countries.

4. Section E of the resource kit, on cross-cutting issues, is designed to provide guidance on how the work of the Convention might be integrated with the activities carried out under other international agreements or programmes. It includes references to selected sources of general information on chemicals that may be of interest or use to countries in implementing the Convention. It is proposed that this section of the resource kit should continue to be refined and expanded to reflect new information as it becomes available.

B. National and subregional meetings

1. Developing national action plans or strategies on the implementation of the Convention

5. As a key first step in defining country needs, the national and subregional meetings for the preparation of national action plans or strategies for the implementation of the Convention will be continued. The methodology and approach will be modified as necessary to reflect experience gained. Measures of the success of this programme will include the ability of countries to meet their obligations under the Convention, in particular with regard to the submission of notifications of final regulatory actions and import responses. A further measure of success will be the number of requests for technical assistance submitted by Parties, based on the priority actions identified in their national action plans or strategies.

6. As of May 2006, there are in the order of 47 developing country Parties which have yet to develop national action plans or strategies for the implementation of the Convention. Work should be undertaken with these countries in 2007–2008, building on the national implementation plans developed under the Stockholm Convention, and in cooperation with partners such as UNITAR and the regional offices of FAO and UNEP. It is proposed to convene three national and five subregional meetings (involving a maximum of four countries each) annually.

7. In cooperation with the regional offices of FAO, it is proposed that national seminars be convened for the Parties that participated in the subregional consultations held in 2006 and for the 40 or so Parties which will participate in subregional meetings in the 2007–2008 biennium. This is particularly important given the relatively small number of participants per country in the subregional meetings. The national seminars provide an opportunity to seek broader support for the action plans or strategies, to review the status of implementation of the action plans or strategies and to give further consideration to country needs and priorities for action.

2. **Thematic meetings: national and subregional meetings on specific issues**

8. The demand for national and subregional meetings on specific issues is country driven. It is proposed that those Parties which have developed national action plans or strategies for the implementation of the Convention will be given priority for participation in these meetings.

9. It is clear that, as national action plans or strategies are developed by a broader range of countries, opportunities for developing meetings on different issues will arise in the course of 2007–2008. It is proposed that these issues should be identified through a systematic review by the secretariat of the priorities for action at the regional level, as identified in the national action plans or strategies developed by Parties. In order to respond to the issues, it is proposed that, subject to the availability of funds, three national and three subregional meetings, involving a limited number of Parties, should be considered on specific issues over the biennium. The issues, location and countries to be involved will need to be determined on a case-by-case basis following a review of the priorities for action identified in the national plans or strategies completed in 2006 and 2007. The estimated costs of convening these meetings are presented in the appendix to the present annex.

10. In the meantime, it is proposed that two series of workshops be developed focusing on the trade aspects of the Convention: one for exporting countries and a second for exporting countries and their principal trade partners (for example, for five importing countries within the exporting country's region or in different regions). These meetings could focus on those developing country Parties which are major manufacturers and exporters of chemicals such as Brazil, China and India. A further variation could involve a joint project with one or more of the member States of the European Union and a limited number of their principal trading partners in developing countries. The specifics of the location of the meetings and the countries that might be involved remain to be determined. The estimated costs of convening such meetings with major exporters and between exporters and their principal trading partners are presented in the appendix to the present annex.

11. Severely hazardous pesticide formulations continue to cause problems under the conditions of use in many countries. The European Union is funding a three year project (2005–2008) with the Pesticide Action Network to strengthen community health monitoring capabilities relevant to pesticide poisonings in five African countries. It is proposed that the collaboration with this project, which was initiated in 2006, should be continued with a view to establishing appropriate links between designated national authorities and community health monitoring activities in the five pilot countries and a process for the preparation and submission of proposals for severely hazardous pesticide formulations under article 6 of the Convention. The estimated costs of this continued collaboration are presented in the appendix to the present annex.

3. **Fostering cooperation among designated national authorities in a given region**

12. As noted elsewhere, one of the outcomes of the work with the regional offices of FAO and UNEP has been the development of regional strategies for the implementation of the Convention. These strategies have been loosely based on the prior informed consent (PIC) regions. It is thought that clustering countries in these regions may encourage cooperation among designated national authorities and facilitate follow-up by the regional and subregional offices of FAO.

13. It is proposed that a regional or subregional meeting of designated national authorities should be convened in each of the seven PIC regions in 2007 and 2008 with a view to addressing specific issues of concern to Parties. To facilitate constructive discussion, it is proposed that participation should be limited to around 30 participants. In order to accommodate the size of some of the regions and the various language profiles of the regions, some 10 meetings are envisaged through 2007–2008. It is proposed that the issues, location and countries to be involved will need to be determined on a case-by-case basis.

C. **Working directly with individual countries on specific issues**

14. The way in which the specific needs of individual Parties might be addressed depends on the issue of concern and the Parties involved. In some instances, a national or subregional meeting may not be an effective way of responding to the identified need. In such cases, a more efficient means of assistance might include having a regional expert or international consultant work directly with the designated national authority in a country; alternatively, it may be possible to address the issue through integration with activities under way in the country or at the regional level through bilateral aid projects, work on related multilateral environmental agreements such as the Stockholm or Basel conventions, the Strategic Approach to International Chemicals Management (SAICM) or the work of other regional or subregional organizations.

15. In some instances, depending on available resources, the secretariat might arrange for the designated national authority to work with a regional expert; in others, the secretariat might facilitate contact between Parties requesting assistance and those programmes which might be able to provide such assistance.

D. Partners in the regional delivery of technical assistance

16. The secretariat will continue to look for opportunities to initiate and strengthen cooperation with regional and subregional organizations involved in chemicals management activities. A number of organizations are active regionally or within certain groups of countries. Some of these, such as the South Pacific Regional Environment Programme, the African Ministerial Conference on the Environment and the Alliance of Small Island States, have been involved to a greater or lesser extent in chemical safety issues. The secretariat will continue to explore opportunities to encourage such organizations to integrate Rotterdam Convention issues into their work. Similarly, regional and subregional organizations and networks that are directly involved in chemicals management will continue to be informed of the activities relevant to the implementation of the Rotterdam Convention and, as appropriate, invited to participate in regional and subregional activities. Cooperation with the World Health Organization will continue, with particular attention to its programme on establishing poison control centres. Cooperation with the Basel Convention regional centres will also continue. Some of the specific regional partners with whom cooperation is foreseen in 2007 and 2008 include the following.

1. Regional offices of FAO and UNEP

17. Annual meetings with representatives of the FAO and UNEP regional offices are proposed as a continuation of the informal newsletter on regional activities circulated within the secretariat and among the regional offices. A meeting with representatives of FAO and UNEP regional offices at the end of 2006 will provide an opportunity to obtain feedback on experience with the delivery of technical assistance activities in the regions in 2006 and valuable input to developing a programme of activities for 2007 in the light of the outcome of the third meeting of the Conference of the Parties. It would also provide an opportunity for the regional offices to develop further the regional strategies on the implementation of the Convention initiated at the meeting with representatives of FAO and UNEP regional offices held in November 2005. A similar meeting is proposed for the end of 2007 to review progress in 2006 and assist in the preparation of planning activities for 2008 and in developing further ideas for meeting the technical assistance needs of countries in preparation for fourth meeting of the Conference of the Parties, to be held in 2008.

2. Group of regional experts

18. Representatives of the group of regional experts created in 2005 have worked with the secretariat in the delivery of the national and subregional meetings on the implementation of the Convention. In addition, the group is seen as a means of promoting cooperation among Parties within and between subregions. Annual meetings of this group are proposed in order to follow up on the experience gained in 2006 and 2007, to provide an opportunity to include new experts in the group and perhaps to expand the range of expertise available within the group.

3. Sahelian Pesticides Committee (CSP)

19. In order to strengthen the link between the work of CSP and the designated national authorities in the member countries of CSP, it is proposed that the participation of those authorities in the two scheduled meetings of CSP in 2007 and 2008 should be sponsored. The goal of this activity is to explore further how the work of CSP might assist member countries in meeting their obligations under the Rotterdam Convention. It is also proposed that, over the period 2007–2008, there should be individual visits to the designated national authorities in the member countries of CSP that are Parties to the Convention in order to assist in follow-up, in particular with regard to submitting notifications of final regulatory action and decisions of future imports of chemicals listed in Annex III to the Convention.

4. Asia Pacific Plant Protection Commission (APPPC)

20. The next session of APPPC is scheduled for September 2007. In follow-up to the work initiated at the meeting in September 2005, the secretariat proposes that the participation in the meeting of regional experts or a limited number of designated national authorities from representative member countries should be sponsored in order to promote the inclusion of the Rotterdam Convention in the APPPC work programme.

5. Other partners

21. The nature of the technical assistance activity will, in many instances, determine the choice of partners by the secretariat.

22. Cooperation with the World Customs Organization will be strengthened in part as a result of the entry into force in 2007 of the Harmonized System custom codes for the first group of chemicals in Annex III to the Convention. This will facilitate enforcement of national import decisions by Parties and provide an opportunity to work with the World Customs Organization to highlight the importance of communication between designated national authorities and customs officials. In addition, cooperative or collaborative activities with customs officials through the Green Customs Initiative of UNEP, the secretariats of other multilateral environmental agreements and other relevant organizations will continue through 2007–2008.

23. Integration with activities under the Basel and Stockholm conventions will be further explored. Based on the outcome of the review of the completed national implementation plans for the Stockholm Convention and feedback from national and subregional meetings, consideration will be given to the need to revise the relevant guidance documents in order to strengthen the links between national implementation plans and associated action plans under the Stockholm Convention and the obligations of countries under the Rotterdam Convention. Any revisions of the guidance will be developed in cooperation with the secretariat of the Stockholm Convention. In addition, national focal points for the Basel and Stockholm conventions as well as SAICM will continue to be invited to participate in the national and subregional meetings on developing national action plans or strategies for the implementation of the Rotterdam Convention. Their participation in developing these action plans or strategies is seen as a key step in promoting an integrated approach to the implementation of these conventions and related chemicals management activities at the national level.

E. Measuring progress - indicators of success

24. The work with the regional offices of FAO and UNEP provides an opportunity for the secretariat to benefit from lessons learned in the delivery of technical assistance. This experience is in turn used to further develop and refine a programme of work that meets the technical assistance needs of Parties. There are a range of fairly straightforward quantitative indicators that are also being used to measure the impact of the technical assistance activities in support of the Rotterdam Convention. These include the number of notifications of final regulatory action and import responses submitted to the secretariat as well as requests for assistance in the implementation of the Convention. It may be of interest to explore the feasibility of developing longer-term indicators that would assist in determining whether the Convention itself is meeting its overall objective of protecting human health and the environment.

II. Next steps

A. Participation and attendance

25. In working with countries in recent years, the experience of the secretariat has been that the response to invitations to nominate participants to subregional and regional workshops is generally low. At the second meeting of the Conference of the Parties, the secretariat provided a list of eligible countries for participation in the workshops to be convened by UNITAR, which produced much greater results. It is therefore proposed that the secretariat should compile lists of Parties who have not yet had an opportunity to develop a national action plan or strategy on the implementation of the Convention. This list will be posted on the Convention website, highlighted in the PIC Circular and circulated to official contact points and designated national authorities with a request for Parties to indicate within a specified timeframe, for example two months, their interest in participating at meetings and to designate a contact point. Based on the responses received and the resources available to the secretariat, meetings will be scheduled over the 2007–2008 biennium.

26. A similar approach is proposed for identifying countries to participate in the subregional meetings on specific issues and those meetings aimed at fostering cooperation among designated national authorities.

B. Planning: funding and priorities

27. The ability to deliver this programme of technical assistance is based on the availability of funds in the voluntary trust fund over the course of 2007–2008. It is unlikely that sufficient funds will have been received to fund the full programme by the time of the third meeting of the Conference of the Parties. Furthermore, it is recognized that certain donors may decide to earmark funds for one or more of the proposed activities.

28. In order to make the best use of the available resources to assist Parties in the implementation of the Convention, developing a national action plan or strategy for the implementation of the Convention and a set of priorities for action is considered an essential first step. Once these action plans and priorities are identified, Parties can seek assistance from a range of sources, not only the secretariat. Similarly, experience has demonstrated that regional partners are key to the effective delivery of technical assistance. For these reasons, the Conference of the Parties agreed to the following order of priority when reviewing available funding for the programme of work for 2007–2008:

(a) National and subregional meetings on developing national action plans or strategies for the implementation of the Convention and the associated national seminars (paragraphs 5–7 above);

(b) Meetings with representatives of the regional offices of FAO and UNEP and the regional experts, together with the updating and revision of the resource kit (paragraphs 2–4 and 17–18 above);

(c) Activities with other partners including CILSS, APPPC, WCO and Stockholm Convention (paragraphs 19–20 and 22–23 above);

(d) Thematic meetings on specific issues, in particular those related to trade and severely hazardous pesticide formulations (paragraphs 8–11 above);

(e) Fostering cooperation among designated national authorities (paragraphs 12–13 above).

29. It is recognized that a review of these priorities and further guidance to the secretariat at the midpoint of the biennium on the implementation of these activities would be beneficial. It is proposed that the Bureau should be invited to assume this role.

30. In addition, the secretariat will need to develop a report on technical assistance activities for consideration by the Conference of the Parties at its fourth meeting and a programme of activities for the next biennium (2009–2010).

Appendix to the programme of work for 2007–2008 on the regional delivery of technical assistance

Summary of the costs of individual elements of the proposed programme of work for the regional and national delivery of technical assistance for the biennium 2007–2008

	Unit cost (US\$)	2007 (US\$)	2008 (US\$)	Total (US\$)
A. Resource kit (paragraphs 29–30)				
• New documents, case studies and legal guide		50,000		50,000
• New documents, case studies and integration with national implementation plans under the Stockholm Convention			50,000	50,000
• Electronic learning tool		30,000		30,000
Subtotal		80,000	50,000	130,000
B. National and subregional meetings				
<i>i) Developing national action plans or strategies (paragraphs 5–7)</i>				
• 3 national meetings	20,000	60,000	60,000	120,000
• 5 subregional meetings (max. 4 countries)	35,000	175,000	175,000	350,000
• 20 national seminars	4,000	80,000	80,000	160,000
Subtotal		315,000	315,000	630,000
<i>ii) Thematic meetings – specific issues</i>				
• 3 national meetings (paragraph 9)	40,000	120,000		120,000
• 3 meetings involving 4 trade partners (paragraph 10)	80,000		240,000	240,000
• 2 meetings on severely hazardous pesticide formulations (one in French and one in English) (paragraph 11)	10,000	20,000		20,000
Subtotal		140,000	240,000	380,000
<i>iii) Fostering cooperation among designated national authorities (paragraphs 12–13)</i>				
• 5 subregional meetings each year	30,000–60,000	150,000–300,000	150,000–300,000	300,000–600,000
Subtotal		150,000–300,000	150,000–300,000	300,000–600,000
C. Working directly with countries on specific issues (paragraphs 14–15)		50,000	50,000	100,000
Subtotal		50,000	50,000	100,000
D. Partners in the regional delivery of technical assistance				
<i>i) Regional offices of FAO and UNEP (paragraph 17)</i>	70,000	70,000	70,000	140,000
<i>ii) Group of regional experts (paragraph 18)</i>	50,000	50,000	50,000	100,000
Subtotal		120,000	120,000	240,000
<i>iii) CSP (paragraph 19)</i>				
• Meeting of designated national authority and CSP each year	20,000	20,000	20,000	40,000
• One visit to each of 8 Parties	6,000	24,000	24,000	48,000
<i>iv) APPPC (paragraph 20)</i>	15,000	15,000		15,000
Subtotal		59,000	44,000	97,000
E. Measuring success				
• Work on indicators (paragraph 24)		20,000		20,000
Total		934,000–1,084,000	969,000–1,119,000	1,903,000–2,203,000

RC-3/7: Further study of the advantages and disadvantages of using the euro, the Swiss franc or the United States dollar as the currency of the accounts and budget of the Rotterdam Convention

The Conference of the Parties,

Recalling that, at its first meeting, in paragraph 23 of decision RC-1/17, it requested the head(s) of the Convention secretariat to undertake a study of the advantages and disadvantages of using the euro, the Swiss franc or the United States dollar as the currency of the accounts and budget of the Convention for consideration by the Conference of the Parties at its third meeting,

Having considered the above study provided by the Secretariat,

Noting that it requires further information on which to base any decision on ways to reduce currency exposure,

Requests the Secretariat to provide, at the fourth meeting of the Conference, a further study on the advantages and disadvantages of using the euro, the Swiss franc or the United States dollar as the currency of the accounts and budget of the Convention taking into account:

- (a) Additional experience with respect to currency exposure;
- (b) The ability of the United Nations Environment Programme and the Food and Agriculture Organization of the United Nations to budget, maintain accounts and report financially in the currencies under consideration;
- (c) The experience of the Food and Agriculture Organization with split assessments of its assessed contribution;
- (d) The experience of other convention secretariats and United Nations and other international agencies that budget, maintain accounts and financially report in Swiss francs, Euros or United States dollars.

RC-3/8: Cooperation and coordination between the Rotterdam, Basel and Stockholm Conventions

The Conference of the Parties,

Recalling decision SC-2/15 of the second meeting of the Conference of the Parties to the Stockholm Convention on Persistent Organic Pollutants and noting that the President of the Conference at that meeting was requested, in consultation and cooperation with the Presidents and the secretariats of the Basel Convention on the Control of Transboundary Movements of Hazardous Wastes and Their Disposal and the Rotterdam Convention, to ensure the preparation of a supplementary report on cooperation and coordination among the Basel Convention, the Rotterdam Convention and the Stockholm Convention, and recalling further that such a report was subsequently prepared,⁵

Agreeing with the call for improved cooperation and coordination between the Rotterdam Convention, the Basel Convention and the Stockholm Convention,

Mindful of the recent adoption of the Strategic Approach to International Chemicals Management and the ongoing reform process in the United Nations,

Believing that the issue of improved cooperation and coordination should be subject to a process that is efficient, transparent and inclusive and recognizes the autonomy of the conferences of the Parties to the three conventions,

Having considered the terms of decision SC-2/15,

1. *Agrees* to participate in the process specified in decision SC-2/15, including the establishment of an ad hoc joint working group, and encourages the Conference of the Parties to the Basel Convention to do the same at its eighth meeting, acknowledging that it is highly desirable that all three conventions be fully involved in the process in order to ensure further improved cooperation and coordination;

2. *Notes* that the ad hoc joint working group will make joint recommendations to the Conferences of the Parties of all three conventions, including the Conference of the Parties to the Rotterdam Convention at its fourth meeting;

3. *Requests* the secretariat to invite Parties and observers to the Convention to submit their views on the supplementary report through the secretariat to the ad hoc joint working group by 31 January 2007;

4. *Decides* to nominate, through the Bureau, three representatives of Parties from each of the five United Nations regions by 31 January 2007 to participate in the ad hoc joint working group of the three Conventions;

5. *Recognizes* the need to make resources available from the operational budget for 2007–2008 to support the participation of representatives of the Rotterdam Convention from developing countries and countries with economies in transition in the meetings of the ad hoc joint working group.

⁵

UNEP/FAO/RC/COP.3/INF/18.

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

The Conference of the Parties,

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

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

1. *Approves* the operational budgets for the biennium 2007–2008 of 3,521,430 United States dollars for 2007 and 3,547,928 United States dollars for 2008 for the purposes set out in table 1 of the present decision;
2. *Invites* the governing bodies of the United Nations Environment Programme and the Food and Agriculture Organization of the United Nations to continue their financial support for the operation of the Convention and its secretariat in 2007–2008;
3. *Welcomes* the annual contribution of 1.2 million euros pledged for 2007 and 2008 by the host Governments of the Convention secretariat to offset planned expenditures;
4. *Adopts* the indicative scale of contributions for the apportionment of expenses for 2007–2008 as contained in table 2 of the present decision and authorizes the head(s) of the Convention secretariat, in keeping with the financial rules, to adjust the scale to include all Parties for which the Convention enters into force before 1 January 2007 for 2007 and before 1 January 2008 for 2008;
5. *Decides* to set the level of the working capital reserve at 15 per cent of the average biennial operational budgets for 2007–2008;
6. *Approves* the staffing table of the Convention secretariat for the operational budgets for 2007–2008 as contained in table 3 of the present decision, which includes provision for co-financing with the Stockholm Convention on Persistent Organic Pollutants the position of the United Nations Environment Programme joint head of the secretariats at the D-1 level;
7. *Approves* on an exceptional basis 37,500 United States dollars in the operational budget for 2007 and 37,500 United States dollars in the operational budget for 2008 to support travel for participants for members from developing countries and countries with economies in transition to attend meetings of the ad hoc joint working group on enhancing cooperation and coordination;
8. *Notes* with concern that a number of Parties have not paid their contributions to the operational budgets for 2005 and/or 2006, which were expected on 1 January 2005 and 1 January 2006, respectively, in accordance with paragraph 14 of the financial rules;
9. *Welcomes* the statement by the Government of Italy outlining a schedule for bringing up to date its host Government contributions as stated in the report of the third meeting of the Conference of the Parties;
10. *Invites* the President of the Conference of the Parties and the head(s) of the Convention secretariat to write to the relevant Parties impressing upon them the importance of paying their respective arrears for 2005 and of timely payment for 2006;
11. *Requests* the head(s) of the Convention secretariat to report on the results of these efforts to consult with Parties on timely payments and to provide information on the experience of other environmental conventions;
12. *Invites* Parties to note that contributions to the operational budgets for a calendar year are expected on 1 January of that year, and urges Parties in a position to do so to pay their contributions promptly and in full and, in this regard, requests that Parties be notified of the amount of their contributions for a given year by 15 October of the previous year;
13. *Welcomes* the work done by the Convention secretariat in keeping up-to-date on the Convention website the list of assessed contributions received;
14. *Agrees* to expand the list of contributions posted on the Convention website to include those Parties that have not paid their assessed contributions to the operational budgets;
15. *Authorizes* the head(s) of the Convention secretariat to make transfers of up to 20 per cent of one main appropriation line of the approved budgets to other main appropriation lines;

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

Table 1

Operational budget under the General Trust Fund (RO) for 2007–2008
(in United States dollars)

	2007	2008
	US\$	US\$
A. Ensure effective functioning of the COP and its subsidiary bodies		
<i>COP4</i>		
Conference services	312,500	312,500
Travel non staff (Bureau)	50,000	50,000
Subtotal	362,500	362,500
<i>CRC3 and CRC4</i>		
Conference services	115,000	120,000
Experts' travel	80,000	80,000
Subtotal	195,000	200,000
Working group on synergies	37,500	37,500
Study on currencies	50,000	0
Subtotal	87,500	37,500
B. Outreach and assistance to Parties in the implementation of the Convention		
Consultants (development of documentation, assistance to the Parties)	35,000	35,000
Resource kit	60,000	70,000
Website development	10,000	10,000
Subtotal	105,000	115,000
C. Coordination with Secretariats of other international bodies		
Resources are included below in section E., Core secretariat costs		
D. Other secretariat functions as specified by the Convention and determined by the COP		
Consultants/sub-contracts	20,000	20,000
Printing of PIC circular and DGDs	30,000	30,000
Subtotal	50,000	50,000
E. Core secretariat costs		
Professional personnel ^a	1,540,061	1,586,263
Consultants	15,000	15,000
Administrative support ^{a'}	408,249	420,496

		2007	2008
		US\$	US\$
	Official travel	160,000	160,000
	Sub-contracts	75,000	75,000
	Equipment and premises	70,000	70,000
	Miscellaneous (including dispatch, communications, information, etc.)	48,000	48,000
	Subtotal	2,316,310	2,374,759
Total activities		3,116,310	3,139,759
	Administrative overhead (13%)	405,120	408,169
	Operational budget	3,521,430	3,547,928
	Increment to the working capital reserve (15 %)	-26,332	
	Increment to the special contingency reserve (indexed to fluctuations in salary scales)	11,400	11,742
	GRAND TOTAL	3,506,498	3,559,670

Reserves		
Working capital reserve (2007–2008): 15% of average of 2007 and 2008 budgets		530,202
Special contingency reserve	391,400	403,142

Calculation of assessed contributions		
Host Government contribution^b		-1,522,843
Total to be covered by assessed contributions		1,983,655
		2,036,827

^a This does not include the direct contribution (US\$ 367,155 for 2007 and US\$ 378,170 for 2008) provided by the Food and Agriculture Organization of the United Nations.

^b Host Government contribution (Italy and Switzerland each Euro 600.000, equiv. to US\$ 1,522,843 at 1.27 US\$/EUR).

Table 2

2007–2008 indicative scale of contributions for the general trust fund for the operational budget (RO) (in US dollars)

Portion of operational budget to be covered by assessed contributions: 2007: 2,139,595
2008: 2,172,427

				2007	2008
		United Nations scale of assessments 2006	Scale for the Trust Fund with 22% ceiling and 0.01% base	Assessed contributions to be covered by the Parties	Assessed contributions to be covered by the Parties
	Member State	Percentage	Percentage	US dollars	US dollars
1	Argentina	0.956	1.299	25,776	26,467
2	Armenia	0.002	0.010	198	204
3	Australia	1.592	2.164	42,924	44,075
4	Austria	0.859	1.168	23,161	23,782
5	Belgium	1.069	1.453	28,823	29,595
6	Belize	0.001	0.010	198	204
7	Benin	0.002	0.010	198	204
8	Bolivia	0.009	0.012	243	249
9	Brazil	1.523	2.070	41,064	42,164
10	Bulgaria	0.017	0.023	458	471
11	Burkina Faso	0.002	0.010	198	204
12	Burundi	0.001	0.010	198	204
13	Cameroon	0.008	0.011	216	221
14	Canada	2.813	3.824	75,845	77,878
15	Cape Verde*	0.001	0.010	198	204
16	Chad	0.001	0.010	198	204
17	Chile	0.223	0.303	6,013	6,174
18	China	2.053	2.790	55,354	56,838
19	Congo	0.003	0.010	198	204
20	Cook Islands	0.001	0.010	198	204
21	Côte d'Ivoire	0.010	0.014	270	277
22	Cyprus	0.039	0.053	1,052	1,080
23	Czech Republic	0.183	0.249	4,934	5,066
24	Democratic People's Republic of Korea	0.010	0.014	270	277
25	Democratic Republic of the Congo*	0.003	0.010	198	204
26	Denmark	0.718	0.976	19,359	19,878
27	Djibouti	0.001	0.010	198	204
28	Dominica*	0.001	0.010	198	204
29	Dominican Republic*	0.035	0.048	944	969
30	Ecuador	0.019	0.026	512	526
31	El Salvador	0.022	0.030	593	609
32	Equatorial Guinea	0.002	0.010	198	204
33	Eritrea	0.001	0.010	198	204
34	Estonia*	0.012	0.016	324	332
35	Ethiopia	0.004	0.010	198	204
36	European Community	2.500	2.500	49,591	50,921
37	Finland	0.533	0.724	14,371	14,756
38	France	6.030	8.196	162,583	166,941

		2007	2008		
		United Nations scale of assessments 2006	Scale for the Trust Fund with 22% ceiling and 0.01% base	Assessed contributions to be covered by the Parties	Assessed contributions to be covered by the Parties
	<i>Member State</i>	<i>Percentage</i>	<i>Percentage</i>	<i>US dollars</i>	<i>US dollars</i>
39	Gabon	0.009	0.012	243	249
40	Gambia	0.001	0.010	198	204
41	Germany	8.662	11.774	233,548	239,809
42	Ghana	0.004	0.010	198	204
43	Greece	0.530	0.720	14,290	14,673
44	Guinea	0.003	0.010	198	204
45	Hungary	0.126	0.171	3,397	3,488
46	India	0.421	0.572	11,351	11,655
47	Iran (Islamic Republic of)	0.157	0.213	4,233	4,347
48	Ireland	0.350	0.476	9,437	9,690
49	Italy	4.885	6.640	131,711	135,242
50	Jamaica	0.008	0.011	216	221
51	Japan	19.468	22.000	436,404	448,102
52	Jordan	0.011	0.015	297	305
53	Kenya	0.009	0.012	243	249
54	Kuwait*	0.162	0.220	4,368	4,485
55	Kyrgyzstan	0.001	0.010	198	204
56	Latvia	0.015	0.020	404	415
57	Liberia	0.001	0.010	198	204
58	Libyan Arab Jamahiriya	0.132	0.179	3,559	3,654
59	Liechtenstein	0.005	0.010	198	204
60	Lithuania	0.024	0.033	647	664
61	Luxembourg	0.077	0.105	2,076	2,132
62	Madagascar	0.003	0.010	198	204
63	Malaysia	0.203	0.276	5,473	5,620
64	Mali	0.002	0.010	198	204
65	Marshall Islands	0.001	0.010	198	204
66	Mauritania	0.001	0.010	198	204
67	Mauritius	0.011	0.015	297	305
68	Mexico	1.883	2.560	50,770	52,131
69	Mongolia	0.001	0.010	198	204
70	Namibia	0.006	0.010	198	204
71	Netherlands	1.690	2.297	45,566	46,788
72	New Zealand	0.221	0.300	5,959	6,118
73	Niger*	0.001	0.010	198	204
74	Nigeria	0.001	0.010	198	204
75	Norway	0.679	0.923	18,307	18,798
76	Oman	0.070	0.095	1,887	1,938
77	Pakistan	0.055	0.075	1,483	1,523
78	Panama	0.019	0.026	512	526
79	Paraguay	0.012	0.016	324	332
80	Peru	0.092	0.125	2,481	2,547
81	Philippines*	0.095	0.129	2,561	2,630
82	Poland	0.461	0.627	12,430	12,763
83	Portugal	0.470	0.639	12,672	13,012
84	Qatar	0.064	0.087	1,726	1,772
85	Republic of Korea	1.796	2.441	48,424	49,723
86	Republic of Moldova	0.001	0.010	198	204
87	Romania	0.060	0.082	1,618	1,661
88	Rwanda	0.001	0.010	198	204
89	Samoa	0.001	0.010	198	204
90	Saudi Arabia	0.713	0.969	19,224	19,740
91	Senegal	0.005	0.010	198	204
92	Singapore	0.388	0.527	10,461	10,742

		2007	2008		
		United Nations scale of assessments 2006	Scale for the Trust Fund with 22% ceiling and 0.01% base	Assessed contributions to be covered by the Parties	Assessed contributions to be covered by the Parties
	<i>Member State</i>	<i>Percentage</i>	<i>Percentage</i>	<i>US dollars</i>	<i>US dollars</i>
93	Slovenia	0.082	0.111	2,211	2,270
94	South Africa	0.292	0.397	7,873	8,084
95	Spain	2.520	3.425	67,945	69,767
96	Sri Lanka*	0.017	0.023	458	471
97	Sudan	0.008	0.011	216	221
98	Suriname*	0.001	0.010	198	204
99	Sweden	0.998	1.357	26,908	27,630
100	Switzerland	1.197	1.627	32,274	33,139
101	Syrian Arab Republic	0.038	0.052	1,025	1,052
102	Thailand	0.209	0.284	5,635	5,786
103	Togo	0.001	0.010	198	204
104	Ukraine	0.039	0.053	1,052	1,080
105	United Arab Emirates	0.235	0.319	6,336	6,506
106	United Kingdom of Great Britain and Northern Ireland	6.127	8.329	165,199	169,627
107	United Republic of Tanzania	0.006	0.010	198	204
108	Uruguay	0.048	0.065	1,294	1,329
109	Venezuela	0.171	0.232	4,611	4,734
110	Yemen*	0.006	0.010	198	204
		77.32	100	1,983,655	2,036,827

* New Parties which have ratified the Convention.

Table 3
Staffing table of the Rotterdam Convention

Staff category and level	2007–2008	Approved staffing	FAO	UNEP
A. Professional category				
	D-1	0.50	0.25 ¹	0.25
	P-5	2.00	1.00 ¹	1.00
	P-4 ²	4.00	2.00 ¹	2.00
	P-3	5.00	2.00 ¹	3.00
	P-2	2.00	1.00 ¹	1.00
	Subtotal	13.50	6.25¹	7.25
B. General Service category				
		5.25	2.50 ¹	2.75
	TOTAL (A + B)	18.75	8.75	10.00

¹ FAO contribution of 25 per cent of one D-1 post, one P-5 post, one P-3 post and 25 per cent of one General Service post.

² One UNEP administrative officer to be funded from programme support costs.

Standard salary costs for Geneva and Rome 2007–2008
(in US dollars)

	Geneva		Rome	
	2007 ¹	2008 ²	2007	2008 ²
A Professional category				
D-2 level	248,200	255,646	216,852	223,358
D-1 level	236,100	243,183	201,984	208,044
P-5 level	207,800	214,034	178,944	184,312
P-4 level	179,800	185,194	153,540	158,146
P-3 level	149,100	153,573	122,604	126,282
P-2 level	119,600	123,188	96,852	99,758
B General Service category				
GS	99,000	101,970	60,444	62,257

¹ United Nations standard salary costs for Geneva, for the year 2007 (version 2).

² 2007 costs plus 3 per cent.

Table 4

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

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

Annex II

List of pre-session documents for the third meeting of the Conference of the Parties

Agenda item	Symbol	Title	Languages	Date
2	UNEP/FAO/RC/COP.3/1	Provisional agenda	All	9 February 2006
2 (a)	UNEP/FAO/RC/COP.3/1/Add.1	Annotated provisional agenda	All	17 July 2006
2 (b)	UNEP/FAO/RC/COP.3/2	Scenario note for the third meeting of the Conference of the Parties to the Rotterdam Convention: note by the Secretariat	All	31 May 2006
3	UNEP/FAO/RC/COP.3/3	Rules of procedure for the Conference of the Parties: note by the Secretariat	All	9 February 2006
5 (a)	UNEP/FAO/RC/COP.3/4	Status of implementation of the Convention: note by the Secretariat	All	7 June 2006
5 (b)	UNEP/FAO/RC/COP.3/5	Confirmation of the appointments of Government-designated experts to the Chemical Review Committee: note by the Secretariat	All	9 February 2006
5 (c)	UNEP/FAO/RC/COP.3/6	Nomination of Governments to designate experts for the Chemical Review Committee: note by the Secretariat	All	16 June 2006
5 (d)	UNEP/FAO/RC/COP.3/7	Report of the Chemical Review Committee on the work of its second meeting: note by the Secretariat	All	24 April 2006
5 (d)	UNEP/FAO/RC/COP.3/8	Issues arising out of the second meeting of the Chemical Review Committee: note by the Secretariat	All	16 June 2006
5 (d)	UNEP/FAO/RC/COP.3/9	Trade restrictions under other multilateral environmental agreements and their relevance to chemicals eligible for listing in Annex III to the Rotterdam Convention: note by the Secretariat	All	15 May 2006
5 (d)	UNEP/FAO/RC/COP.3/10	Risk evaluations under other multilateral environment agreements and their relevance to candidate chemicals: note by the Secretariat	All	15 May 2006

Agenda item	Symbol	Title	Languages	Date
5 (e)	UNEP/FAO/RC/COP.3/11	Inclusion of the chemical chrysotile asbestos in Annex III to the Rotterdam Convention: note by the Secretariat	All	9 March 2006
6 (a)	UNEP/FAO/RC/COP.3/12	Non-compliance: Procedures and institutional mechanisms for determining non-compliance with the provisions of the Convention and for the treatment of Parties found to be in non-compliance: note by the Secretariat	All	9 February 2006
6 (b)	UNEP/FAO/RC/COP.3/13	Study of possible options for lasting and sustainable financial mechanisms: note by the Secretariat	All	18 July 2006
6 (c)	UNEP/FAO/RC/COP.3/14	Regional and national delivery of technical assistance: note by the Secretariat	All	9 June 2006
6 (c)	UNEP/FAO/RC/COP.3/15	Technical assistance under the Rotterdam Convention: note by the Secretariat	All	9 June 2006
6 (d)	UNEP/FAO/RC/COP.3/16	Cooperation with the World Customs Organization: note by the Secretariat	All	31 May 2006
6 (e)	UNEP/FAO/RC/COP.3/17	Cooperation with the World Trade Organization: note by the Secretariat	All	11 July 2006
6 (f)	UNEP/FAO/RC/COP.3/18	Study of the advantages and disadvantages of using the euro, the Swiss franc or the United States dollar as the currency of the accounts and budget of the Convention: note by the Secretariat	All	13 July 2006
6 (g)	UNEP/FAO/RC/COP.3/19	Enhancing synergies between the secretariats of the chemicals and waste conventions: note by the Secretariat	All	6 July 2006
6 (h)	UNEP/FAO/RC/COP.3/20	Enhancing synergies between the secretariats of the chemicals and waste conventions: note by the Secretariat	All	6 July 2006
6 (i)	UNEP/FAO/RC/COP.3/21	Mechanisms under the Convention for information exchange: note by the Secretariat	All	18 July 2006

Agenda item	Symbol	Title	Languages	Date
7	UNEP/FAO/RC/COP.3/22	Activities of the Secretariat: note by the Secretariat	All	19 June 2006
8	UNEP/FAO/RC/COP.3/23	Financial report and review of the staffing situation in the Secretariat: note by the Secretariat	All	29 June 2006
8	UNEP/FAO/RC/COP.3/23/Corr.1	Financial report and review of the staffing situation in the Secretariat: corrigendum	All	20 September 2006
8	UNEP/FAO/RC/COP.3/24	Programme of work and proposed budget for the 2007–2008 biennium: note by the Secretariat	All	3 July 2006
8	UNEP/FAO/RC/COP.3/24/Corr.1	Programme of work and proposed budget for the 2007–2008 biennium: corrigendum	All	19 September 2006
6 (g) and (h)	UNEP/FAO/RC/COP.3/25	Enhancing synergies between the secretariats of the chemicals and waste conventions: an overview of events and documents: note by the Secretariat	All	6 July 2006
6 (g) and (h)	UNEP/FAO/RC/COP.3/25/Corr.1	Enhancing synergies between the secretariats of the chemicals and waste conventions: an overview of events and documents: corrigendum	All	12 September 2006
5 (a)	UNEP/FAO/RC/COP.3/INF/1	Status of ratification of the Rotterdam Convention as of 15 September 2006: note by the Secretariat	English only	19 September 2006
5 (a)	UNEP/FAO/RC/COP.3/INF/2	Status of designated national authorities: note by the Secretariat	English only	13 September 2006
-	UNEP/FAO/RC/COP.3/INF/3	List of meeting documents	English only	4 October 2006
5	UNEP/FAO/RC/COP.3/INF/4	Chemicals scheduled for review at the third meeting of the Chemical Review Committee: note by the Secretariat	English only	13 September 2006
6 (g) and (h)	UNEP/FAO/RC/COP.3/INF/5	Decisions originating from the second meeting of the Conference of the Parties to the Stockholm Convention: note by the Secretariat	English only	6 July 2006
5 (b)	UNEP/FAO/RC/COP.3/INF/6	Qualification of experts of the Chemical Review Committee: note by the Secretariat	English only	9 February 2006

Agenda item	Symbol	Title	Languages	Date
7	UNEP/FAO/RC/COP.3/INF/7	Communications of the Secretariat: note by the Secretariat	English only	11 July 2006
6 (e)	UNEP/FAO/RC/COP.3/INF/8	Cooperation with the World Trade Organization: note by the Secretariat	English only	11 July 2006
5 (e)	UNEP/FAO/RC/COP.3/INF/9	Summary consensus report of the World Health Organization workshop on mechanisms of fibre carcinogenesis and assessment of chrysotile asbestos substitutes: note by the Secretariat	English only	13 September 2006
6 (g) and (h)	UNEP/FAO/RC/COP.3/INF/10	Recommendations on improving cooperation and synergies provided by the Secretariat of the Basel Convention: note by the Secretariat	English only	6 July 2006
	UNEP/FAO/RC/COP.3/INF/11	Summary of the regional, subregional and national meetings undertaken in support of the ratification and implementation of the Rotterdam Convention: note by the Secretariat	English only	6 October 2006
8	UNEP/FAO/RC/COP.3/INF/12	Programme of work and budget: updates: note by the Secretariat	English only	5 October 2006
5 (a)	UNEP/FAO/RC/COP.3/INF/13	Status of official contact points: note by the Secretariat	English only	13 September 2006
5 (e)	UNEP/FAO/RC/COP.3/INF/14	Submission by Kyrgyzstan regarding chrysotile asbestos: note by the Secretariat	English only	25 September 2006
5 (e)	UNEP/FAO/RC/COP.3/INF/15	Paper on the elimination of asbestos-related diseases submitted by the World Health Organization: note by the Secretariat	English only	2 October 2006
-	UNEP/FAO/RC/COP.3/INF/16	Report from United Nations Environment Programme (UNEP): note by the Secretariat	English only	2 October 2006
5 (e)	UNEP/FAO/RC/COP.3/INF/17	Information document on chrysotile asbestos submitted by the International Labour Organization: note by the Secretariat	English only	2 October 2006

Annex III

President's summary of statements made during the high-level segment

Some 40 ministers and senior officials made statements during the high-level segment on the theme of "Towards full implementation of the Rotterdam Convention: challenges and opportunities".

The speakers recognized that the Rotterdam Convention has a vital role to play in today's interdependent world. Many emphasized that the Convention does not prohibit trade; instead, it promotes informed decision-making and stronger national capacities for the safe management of chemicals and pesticides. It represents a partnership for shared responsibility amongst countries.

Although still young, the Convention is already having a positive impact. Governments are increasingly using the PIC notification and information-exchange systems and repairing failures in their domestic systems for chemicals management. They have built institutions, adopted new regulations and laws, allocated funds and reached out to stakeholders. They have also shared possible solutions and best practices with one another.

However, only the full implementation of the Convention will provide its full benefits. More countries need to become Parties and those countries that are already Parties need to strengthen their efforts. Many of the speakers highlighted our key priorities for the future.

A number of speakers emphasized the need to add new chemicals and pesticides to the PIC list, particularly those that are still actively traded. Others reminded us to use the Convention's notification system more actively. Another common theme was the need to strengthen legal, regulatory, institutional and technical arrangements for managing chemicals and pesticides. Almost all speakers from developing countries stressed the need to strengthen technical assistance programmes and the financial mechanism.

A number of Parties raised the issue of synergies. They highlighted the benefits of coordinating our efforts with those of the Basel and Stockholm Conventions and with other programmes and institutions, as well as the value of coordinating more effectively at the national level with other ministries and stakeholders.

Several speakers pointed to the importance of efforts to raise awareness of the need to use chemicals and pesticides responsibly. They stressed that the participation of civil society and non-governmental organizations in decision-making should be encouraged and that the informal sector should be engaged.

Finally, some of you reminded us of the importance of our compliance mechanism and the need for a simple, cooperative and non-adversarial mechanism for ensuring the full implementation of the Convention.

Ladies and Gentlemen, I believe that the high-level segment provided us with a stimulating range of ideas and insights, and I commend them to you for your continued consideration. Thank you.