



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

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

Geneva, 28 April–10 May 2013

Item 6 of the provisional agenda*

Programme of work of the Secretariat and adoption of the budget

Activities undertaken by the Secretariat pertaining to the Rotterdam Convention from 1 January 2011 to 31 December 2012

Note by the Secretariat

1. The annex to the present note sets out a report prepared by the Secretariat on its activities pertaining to the Rotterdam Convention on the Prior Informed Consent Procedure for Certain Hazardous Chemicals and Pesticides in International Trade from 1 January 2011 to 31 December 2012, which were undertaken in accordance with its mandate under the Convention and as decided by the Conference of the Parties.¹ The annex to the present note has not been formally edited.
2. Reports on Secretariat activities pertaining to the Basel Convention on the Control of Transboundary Movements of Hazardous Wastes and Their Disposal and the Stockholm Convention on Persistent Organic Pollutants are contained in documents UNEP/CHW.11/INF/7 and UNEP/POPS/COP.6/INF/35. A report on activities of the Secretariat pertaining to two or more conventions is set out in document UNEP/FAO/CHW/RC/POPS/EXCOPS.2/INF/13.
3. Further detailed information on Secretariat activities under the Rotterdam Convention is contained in various meeting and information documents referenced in the report set out in the annex to the present note.

* UNEP/FAO/RC/COP.6/1.

¹ A related document is a report on implementation of the Rotterdam Convention programme budget for 2012, set out in document UNEP/FAO/RC/COP.6/INF/16.

Annex

Report on Secretariat activities from 1 January 2011 to 31 December 2012

Introduction

1. During the reporting period, the executive secretaries of the Rotterdam Convention, Mr. Jim Willis, United Nations Environment Programme (UNEP), and, following his assignment in November 2012, Mr. Clayton Campanhola, Food and Agriculture Organization of the United Nations (FAO), were responsible for coordinating the Secretariat's activities.
2. The Secretariat's functions are defined in paragraph 2 of Article 19 of the Convention. For ease of reference, the Secretariat's principal activities are described in the present note in terms of those functions.

I. Meetings of the Conference of the Parties and its subsidiary bodies

A. Fifth meeting of the Conference of the Parties

3. The fifth meeting of the Conference of the Parties took place in Geneva from 20 to 24 June 2011. It was attended by 421 participants, representing 104 parties, 8 non-party States, 4 intergovernmental organizations or United Nations agencies and 22 non-governmental organizations. A list of participants is provided in document UNEP/FAO/RC/COP.5/INF/19 and the report of the meeting is available as document UNEP/FAO/RC/COP.5/26.

B. Meetings of the Bureau

4. On 26 March 2011, the Bureau of the fifth meeting of the Conference of the Parties to the Rotterdam Convention met jointly in Geneva with the bureaux of the conferences of the parties to the Basel and Stockholm conventions to prepare discussions on enhancing cooperation on coordination among the three conventions that were due to take place during the 2011 meetings of the conferences of the parties.
5. The Bureau of the sixth meeting of the Conference of the Parties to the Rotterdam Convention met on 13 and 14 September 2012 at the FAO headquarters in Rome. Bureau members, among other things, reviewed progress in the implementation of decisions taken by the Conference at its fifth meeting and discussed the preparation of the next ordinary and extraordinary meetings of the Conference of the Parties.¹
6. The Rotterdam Convention Bureau also met jointly with the bureaux of the conferences of the parties of the Basel and Stockholm conventions on 13 and 14 December 2012 to discuss the organization of work of the ordinary and extraordinary meetings of the conferences of the parties to the Basel, Rotterdam and Stockholm conventions.²

C. Chemical Review Committee

7. The Chemical Review Committee held its seventh meeting in Rome from 28 March to 1 April 2011. It was attended by 29 of the 31 Committee members and by observers representing 36 Governments, two intergovernmental organization, seven non-governmental organizations and one invited expert. A list of participants is provided in document UNEP/FAO/RC/CRC.7/INF/12 and the report of the meeting is available as document UNEP/FAO/RC/CRC.7/15.
8. The Chemical Review Committee held its eighth meeting in Geneva from 19 to 23 March 2012. It was attended by 29 of the 31 Committee members and by observers representing 28 Governments, two intergovernmental organization, six non-governmental organizations and one invited expert. A list of participants is provided in document UNEP/FAO/RC/CRC.8/INF/16/Rev.1 and the report of the meeting is available as document UNEP/FAO/RC/CRC.8/12.
9. Information on the seventh and eighth meetings of the Committee and developments for action by the Conference of the Parties are highlighted in document UNEP/FAO/RC/COP.6/6.

¹ The report of the meeting is available on the Rotterdam Convention website from: <http://www.pic.int>.

² The report of the meeting is available on <http://synergies.pops.int/Implementation/JointBureaux/JointmeetingoftheBureaux/tabid/2846/mctl/ViewDetails/EventModID/8751/EventID/254/xmid/9209/language/en-US/Default.aspx>.

10. The ninth meeting of the Chemical Review Committee will be held from 21 to 25 October 2013 in Rome, back-to-back with the ninth meeting of the Persistent Organic Pollutants Review Committee of the Stockholm Convention scheduled from 14 to 18 October 2013.

11. In accordance with articles 5, 6 and 7 of the Rotterdam Convention, the Chemical Review Committee decided to recommend to the Conference of the Parties that the following six chemicals, one of which is a severely hazardous pesticide formulation, be listed in Annex III to the Convention and finalized the text of related draft decision guidance documents:

- (a) Azinphos-methyl;³
- (b) Pentabromodiphenyl ether (CAS No. 32534-81-9) and pentabromodiphenyl ether commercial mixtures;⁴
- (c) Octabromodiphenyl ether commercial mixtures;⁵
- (d) Perfluorooctane sulfonic acid, perfluorooctanesulfonates, perfluorooctanesulfonamides and perfluorooctanesulfonyls;⁶
- (e) Chrysotile asbestos;⁷
- (f) Liquid formulations (emulsifiable concentrate and soluble concentrate) containing paraquat dichloride at or above 276 g/L, corresponding to paraquat ion at or above 200 g/L.⁸

D. Activities undertaken for the effective participation of members in the work of the Chemical Review Committee

12. A joint workshop of the Stockholm and Rotterdam conventions for effective participation of parties in the work of the Persistent Organic Pollutants Review Committee and Chemical Review Committee was organized on 19-21 January in Colombo, Sri Lanka. The event gathered experts, government members and non-governmental organizations from 18 Asian countries.

13. The Secretariat held a workshop for members of the Chemical Review Committee in Rome from 24 to 26 January 2012. The objective was to acquaint new members with the operation of the Committee, including the working procedure and policy guidance documents that the Committee has used to achieve consistency in its work, such as in the review of notifications of final regulatory action and the preparation of decision guidance documents. All 31 members of the Committee were invited and 24 attended.

II. Facilitating assistance to parties in the implementation of the Convention

14. The Secretariat continued its work to facilitate assistance to parties in the implementation of the Convention. The Secretariat's principal activities in this regard are set out below.

A. Technical assistance

15. A detailed report on the Secretariat's activities to implement decision RC-5/10 is available in documents UNEP/FAO/RC/COP.6/15 and UNEP/FAO/RC/COP.6/INF/9. The documents include detailed information on workshops and other technical assistance activities that the Secretariat undertook. An analysis of the technical assistance and technology transfer needs and the assistance on offer based on information provided by parties through a questionnaire is available in document UNEP/FAO/RC/COP.6/INF/12. A list of activities planned for the year 2013 is set out in the annex to document UNEP/FAO/RC/COP.6/INF/11. A proposed work programme and activities for the biennium 2014–2015 is set out in document UNEP/FAO/RC/COP.6/INF/19.

³ See UNEP/FAO/RC/COP.6/7 and Add.1. For the recommendation of the Committee, see UNEP/FAO/RC/COP.6/INF/4.

⁴ See UNEP/FAO/RC/COP.6/8 and Add.1. For the recommendation of the Committee, see UNEP/FAO/RC/COP.6/INF/5.

⁵ See UNEP/FAO/RC/COP.6/9 and Add.1. For the recommendation of the Committee, see UNEP/FAO/RC/COP.6/INF/6.

⁶ See UNEP/FAO/RC/COP.6/10 and Add.1. For the recommendation of the Committee, see UNEP/FAO/RC/COP.6/INF/7.

⁷ See UNEP/FAO/RC/COP.6/12 and Add.1.

⁸ See UNEP/FAO/RC/COP.6/11 and Add.1. For the recommendation of the Committee, see UNEP/FAO/RC/COP.6/INF/8.

16. The Secretariat continued to work with FAO and UNEP regional offices to promote a regional approach to the implementation of the Convention and to increase the visibility of the Convention as a tool to assist chemicals management in general.

B. Facilitating information exchange

17. The Secretariat used the Convention website (www.pic.int) to distribute information on events and activities, guidance materials and decision guidance documents, documents for the meetings of the Conference of the Parties and the Chemical Review Committee, PIC Circulars, information submitted by parties on national risk evaluations, available alternatives to the chemicals listed in Annex III and access to the PIC database. The database contains notifications of final regulatory action, proposals for severely hazardous pesticide formulations, import responses for chemicals listed in Annex III, and information on official contact points and designated national authorities.

18. The Rotterdam Convention website was further developed to be integrated into the joint clearing-house mechanism under the Basel, Rotterdam and Stockholm conventions. Further information on the clearing-house activities of the Secretariat is available in document UNEP/FAO/CHW/RC/POPS/EXCOPS.2/INF/16.

19. Responding to requests made by the Conference of the Parties in its decisions RC-5/2 on increasing the number of notifications of final regulatory action and communication between parties, the Secretariat developed proposals on ways of exchanging information on exports and export notifications, as well as proposals to increase the number of notifications of final regulatory action and guidance to assist parties in their preparation. These are set out in documents UNEP/FAO/RC/COP.6/5 and UNEP/FAO/RC/COP.6/16 respectively.

C. Resource kit, guidance and training tools

20. The content of the Resource Kit was reviewed and updated. Two brochures directed to the general public (“Overview” and “Towards Responsible Trade”) were revised and reformatted. They will be made available in 6 languages in 2013. One document has been reformatted (“Forms and instructions for operational elements”). Visuals on pesticide poisonings to be used in schools for awareness-raising have been developed in collaboration with FAO’s Division for Gender, Equity and Rural employment. Revision of two guidance documents for DNAs (“Guidance to DNAs on the operation of the Convention” and “Guidance to complete the form for notification”) has started and they will be made available in interactive versions in 2013.⁹ All components of the Resource Kit are available in electronic format and copies were distributed during technical assistance activities.

III. Cooperation and coordination with other multilateral environmental agreements, intergovernmental organizations, non-governmental organizations and other partners

21. As part of its core functions, and in accordance with Article 19 of the Convention, the Secretariat ensures the necessary cooperation and coordination with the secretariats of other relevant international bodies. It thus cooperates and collaborates with other multilateral environmental agreements, intergovernmental organizations, non-governmental organizations and other partners, as appropriate, to implement the activities of the Rotterdam Convention work programme.

22. The collaborative activities that were implemented specifically under the Rotterdam Convention during the reporting period are set out below. Information on other international cooperation activities that are jointly undertaken by the Secretariat of the Basel, Rotterdam and Stockholm conventions is set out in document UNEP/FAO/CHW/RC/POPS/EXCOPS.2/INF/13.

A. Food and Agriculture Organization (FAO)

23. The work of the Rotterdam Convention Secretariat is interlinked with FAO’s Pesticide Management Programme and close cooperation took place with regard to projects implemented in the Caucasus and West Africa. Furthermore, the Secretariat supported the work of the FAO Pesticide Management Programme in the implementation of GEF projects in Benin, Cameroon, Morocco and the nine member countries of the Comité Permanent Inter Etats de lutte contre la Sécheresse dans le Sahel (CILSS) for the sound disposal of obsolete pesticides including POPs, the strengthening sound pesticide management and the promotion of alternatives to hazardous pesticides. In return, the

⁹ The Resource Kit and other training and information materials are available on <http://www.pic.int/Implementation/ResourceKit/tabid/1064/language/en-US/Default.aspx>.

Pesticide Management Team has integrated aspects related to the implementation of the Rotterdam Convention into their activities where appropriate.

24. The Secretariat convened a meeting in March 2012 with representatives of the FAO Regional and Subregional Offices in order to incorporate Rotterdam Convention specific topics into their workplans.

25. The Secretariat contributed to FAO's work on pest and pesticide management and participated in relevant meetings, such as the FAO/WHO Joint Meeting on Pesticide Management. It also took part in the revision of the Code of Conduct on the Distribution and Use of Pesticides that was undertaken in 2012. The revised draft Code of Conduct makes explicit reference to Article 6 of the Rotterdam Convention on severely hazardous pesticide formulations, the effective management of pesticide-related waste, and the implementation of all legally binding instruments relevant to pesticides management.

26. Document UNEP/FAO/CHW/RC/POPS/EXCOPS.2/INF/9 provides further information on the cooperation with FAO.

B. World Customs Organization (WCO)

27. During the reporting period, the Secretariat continued its collaboration with the WCO, especially in the delivery of joint capacity-building activities and the development of an e-learning tool for customs officials. The Secretariat also works with WCO and its Harmonized System Committee (HSC), Harmonized System Review Subcommittee and Scientific Subcommittee regarding the assignment of Harmonized System codes to chemicals listed in Annex III to the Convention. In this regard, the Secretariat participated in the 43rd session of the Harmonized System Review Sub-committee on 21-24 May 2012 in Brussels, Belgium. Further information on collaboration with WCO can be found in paragraph 45 below.

C. Inter-Organization Programme for the Sound Management of Chemicals (IOMC)

28. The Secretariat, in line with its work programme for 2012–2013, has been implementing pilot projects on strengthening industrial chemicals management under the Rotterdam Convention in Jordan, Botswana, Mauritania and Honduras. In addition to activities undertaken at the national level, the projects also contain a component on the development of a toolkit for the management of industrial chemicals which is developed in consultation with a number of IOMC participating organizations.

29. Under the framework of the Inter-Agency Working Group (IAWG) on Sound Management of Industrial Chemicals, the Secretariat cooperates with the World Health Organization (WHO), International Labour Organization (ILO) and other IOMC participating organizations to implement a project on sound management of industrial chemicals with emphasis on asbestos in the Asia-Pacific region. An Asbestos Management Toolkit has been developed under the project for the elimination of asbestos-related diseases in Asian countries. The toolkit is currently under review by WHO and ILO.

D. World Trade Organization

30. The Secretariat continued to cooperate during the reporting period with the Committee on Trade and Environment of the World Trade Organization. Details of this cooperation can be found in document UNEP/FAO/RC/COP.6/17.

IV. Secretariat functions as specified in the Convention and determined by the Conference of the Parties

31. The Secretariat's activities related to its functions are described in the order in which they are mentioned in the Convention.

A. Maintaining a register of designated national authorities (Article 4)

32. As at 31 October 2012, 147 parties to the Convention out of a total of 150 had nominated 279 designated national authorities. The Secretariat received 76 new nominations of new designated national authorities and 36 requests to update information regarding existing authorities during the reporting period. Information about designated national authorities is available on the Convention website¹⁰ and is distributed with the PIC Circular every June and December.

¹⁰ <http://www.pic.int/Countries/DesignatedNationalAuthorities/Database/tabid/1375/language/en-US/Default.aspx>.

B. Processing notifications of final regulatory action to ban or severely restrict chemicals (Article 5)

33. During the reporting period, the Secretariat received 45 notifications of final regulatory action from 16 parties. A total of 41 notifications were verified as containing the information listed in Annex I. Of those notifications, 36 were for chemicals that were not listed in Annex III to the Convention and five were for chemicals already listed in Annex III. Of the 41 complete notifications, 38 were for pesticides, one was for an industrial chemical and two applied to both categories. Two parties submitted notifications that did not contain some of the information requirements of Annex I.

34. At its eighth meeting in March 2012, the Chemical Review Committee considered a total of four notifications that were forwarded by the Secretariat in support of two chemicals, dicofol and trichlorfon. In addition, the Committee reviewed four draft decision guidance documents: three for industrial chemicals and one for a proposal for a severely hazardous pesticide formulation. These draft decision guidance documents were finalized and are available, along with the draft decision guidance document for azinphos-methyl finalized by the Committee at its seventh meeting, in documents UNEP/FAO/RC/COP.6/7/Add.1, 8/Add.1, 9/Add.1, 10/Add.1 and 11/Add.1. Further information is available in document UNEP/FAO/RC/COP.6/6.

C. Processing proposals for the listing of severely hazardous pesticide formulations (Article 6)

35. A proposal for the inclusion of fenthion 640 g/L ULV was published in the PIC Circular of December 2012. The Secretariat, in line with part 2 of Annex IV, collects relevant information relating to the formulation, including a call to parties for such information. This proposal, along with relevant information collected, will be submitted to the Chemical Review Committee for review at its ninth meeting in October 2013.

36. The proposal for listing liquid formulations (emulsifiable concentrate and soluble concentrate) containing paraquat dichloride at or above 276 g/L, corresponding to paraquat ion at or above 200 g/L in Annex III to the Convention, submitted by Burkina Faso in 2010, was reviewed by the Committee at its seventh meeting in 2011 and subsequently recommended for listing in Annex III to the Convention. The draft decision guidance document and rationale and recommendation for listing are presented in documents UNEP/FAO/RC/COP.6/11/Add.1 and INF/8.

D. Drafting and disseminating decision guidance documents (Article 7)

37. The decision guidance documents on alachlor, aldicarb and endosulfan, adopted by the fifth meeting of the Conference of the Parties, were distributed on 24 October 2011 to all parties and posted on the Convention website, together with a request to submit responses regarding future imports of those chemicals.

38. Five new draft decision guidance documents prepared by the Chemical Review Committee have been translated into the six official United Nations languages for consideration by the sixth meeting of the Conference of the Parties. These decision guidance documents are for azinphos-methyl, pentabromodiphenyl ether (CAS No. 32534-81-9) and pentabromodiphenyl ether commercial mixtures, octabromodiphenyl ether commercial mixtures, perfluorooctane sulfonic acid, perfluorooctanesulfonates, perfluorooctanesulfonamides and perfluorooctanesulfonyls, liquid formulations (emulsifiable concentrate and soluble concentrate) containing paraquat dichloride at or above 276 g/L, corresponding to paraquat ion at or above 200 g/L. The draft decision guidance documents are available respectively in documents UNEP/FAO/RC/COP.6/7/Add.1, UNEP/FAO/RC/COP.6/8/Add.1, UNEP/FAO/RC/COP.6/9/Add.1, UNEP/FAO/RC/COP.6/10/Add.1 and UNEP/FAO/RC/COP.6/11/Add.1.

39. The Conference of the Parties at its sixth meeting will again consider the draft decision guidance document for chrysotile asbestos, contained in document UNEP/FAO/RC/COP.6/12/Add.1.

E. Processing information regarding the removal of chemicals from Annex III (Article 9)

40. No information was provided to the Secretariat regarding the removal of chemicals from Annex III to the Convention during the reporting period.

F. Processing decisions regarding the future import of chemicals listed in Annex III (Article 10)

41. As at 31 October 2012, 43 chemicals were listed in Annex III, including 28 pesticides, 4 severely hazardous pesticide formulations and 11 industrial chemicals, and were therefore subject to the PIC procedure. Parties are obliged to submit import responses for each of these chemicals. A total of 4500 import responses have been submitted by 135 parties for Annex III chemicals. The average rate of import response is 71 percent for the 43 chemicals listed in Annex III.

42. During the reporting period a total of 69 parties submitted 513 new or revised import responses for the chemicals listed in Annex III. As at 31 October 2012, 13 parties had provided no import responses. Of those, two countries had become parties to the Convention within the reporting period. Parties having difficulties taking import decisions are encouraged to request assistance from the Secretariat. The Secretariat will continue to liaise with parties that have not submitted import responses.

43. Following the inclusion of new chemicals to Annex III of the Convention by the Conference of the Parties at its fifth meeting, the Secretariat as at 31 October 2012 received a total of 62 import responses for alachlor, 62 import responses for aldicarb and 60 import responses for endosulfan, resulting in an average response rate of 42 percent for alachlor and aldicarb and 40 percent for endosulfan. The Secretariat informed all parties of the import responses received through the PIC Circular which is prepared and distributed every six months.

44. Further information can be found in document UNEP/FAO/RC/COP.6/4.

G. Working with the World Customs Organization (WCO) in assigning Harmonized System Customs codes to the chemicals listed in Annex III (Article 13)

45. A list of the codes for chemicals listed in Annex III was sent to all parties through their designated national authorities and is available on the Convention website. The Secretariat prepared a fact sheet containing a list of the codes to facilitate their use. The Secretariat's continued work with WCO resulted in new codes being proposed for chemicals that were listed in Annex III by the Conference of the Parties at its fifth meeting. The codes for these chemicals will enter into force formally on 1 January 2017. The Secretariat will follow up with WCO regarding specific codes for any new chemicals included in Annex III to the Convention by the Conference of the Parties at future meetings.

H. Communicating proposed amendments to the Convention

46. Pursuant to articles 21 and 22 of the Convention, on 25 October 2012, six months before the sixth meeting of the Conference of the Parties, the Secretariat circulated the recommendations of the Chemical Review Committee to list the five chemicals and one severely hazardous pesticide formulation identified in paragraph 11 above to the parties and signatories to the Convention and to the depositary of the Convention. A compilation of submissions by parties relating to the recommendations is available in document UNEP/FAO/RC/COP.6/INF/14.
