

FIFTH MEETING OF THE CONFERENCE OF THE PARTIES TO THE ROTTERDAM CONVENTION: 20-24 JUNE 2011

The fifth meeting of the Conference of the Parties (COP5) to the Rotterdam Convention on the Prior Informed Consent Procedure (PIC) for Certain Hazardous Chemicals and Pesticides in International Trade opens today in Geneva, Switzerland.

COP5 will address those issues that eluded consensus during the last meeting of the Conference of the Parties, namely, mechanisms and procedures for non-compliance and the inclusion of chrysotile asbestos in Annex III of the Convention. The meeting will also consider, *inter alia*: the possible inclusion of endosulfan, alachlor and aldicarb in Annex III of the Convention; and items related to cooperation and coordination among the Basel, Stockholm and Rotterdam Conventions.

A BRIEF HISTORY OF THE ROTTERDAM CONVENTION

Growth in internationally-traded chemicals during the 1960s and 1970s prompted efforts by the international community to safeguard people and the environment from the harmful effects of such chemicals. These efforts resulted in the adoption of the International Code of Conduct for the Distribution and Use of Pesticides by the UN Food and Agriculture Organization (FAO) and the London Guidelines for the Exchange of Information on Chemicals in International Trade by the United Nations Environment Programme (UNEP). Both the Code of Conduct and the London Guidelines include procedures aimed at making information about hazardous chemicals readily available, thereby permitting countries to assess the risks associated with their use. In 1989, both instruments were amended to include a voluntary PIC procedure, managed jointly by FAO and UNEP, to help countries make informed decisions on the import of banned or severely restricted chemicals.

At the UN Conference on Environment and Development held in Rio de Janeiro in 1992, delegates adopted Agenda 21, which called for an international strategy for action on chemical safety (Chapter 19), and urged states to achieve full participation in, and implementation of, the PIC procedure by 2000, with the possible adoption of a legally-binding PIC Convention.

In November 1994, the 107th meeting of the FAO Council agreed that the FAO Secretariat should proceed with the preparation of a draft PIC Convention as part of the joint FAO/UNEP programme. In May 1995, the 18th session of the UNEP Governing Council adopted Decision 18/12, authorizing the Executive Director to convene, with FAO, an intergovernmental negotiating committee (INC) with a mandate to prepare an international legally-binding instrument for the application of the PIC procedure. The INC held five sessions between March 1996 and March 1998, during which a draft of the PIC Convention was produced, revised, and ultimately agreed upon.

CONFERENCE OF PLENIPOTENTIARIES: The Conference of Plenipotentiaries of the PIC Convention was held from 10-11 September 1998, in Rotterdam, the Netherlands. Ministers and senior officials from approximately 100 countries adopted the Rotterdam Convention, the Final Act of the Conference, and a Resolution on Interim Arrangements.

In line with the new procedures contained in the Convention, the Conference adopted numerous interim arrangements for the continued implementation of the voluntary PIC procedure and invited UNEP and FAO to convene further INCs during the period prior to the Convention's entry into force and to oversee the operation of the interim PIC procedure.

INC 6-11: In the period prior to the Convention's entry into force, the INC met six times. The meetings agreed to draft decisions on the definition and provisional adoption of PIC regions, the establishment of an Interim Chemical Review Committee (ICRC), and the adoption of draft decision guidance documents (DGDs) for chemicals already identified for inclusion in the PIC procedure. They also prepared draft decisions for the first Conference of the Parties, including on financial arrangements and dispute settlement procedures. Chemicals added to the interim PIC procedure during these sessions include ethylene dichloride and ethylene oxide, monocrotophos, four forms of asbestos, dinitro-ortho-cresol (DNOC), and dustable powder formulations of benomyl, carbofuran, thiram, tetraethyl lead, tetramethyl lead, and parathion. The inclusion of a fifth form of asbestos, chrysotile, has been discussed since INC-10 and, to date, not agreed.

COP1: The first COP to the Rotterdam Convention, held in Geneva from 20-24 September 2004, adopted all the decisions required to make the legally-binding PIC procedure operational. Delegates addressed procedural issues and other decisions associated with the entry into force of the Convention, such as the: composition of the PIC regions; inclusion of chemicals in Annex III recommended during the interim period; adoption of financial rules and provisions for the COP, the subsidiary bodies, and the Secretariat; establishment of the Chemical Review Committee (CRC); cooperation with the World Trade Organization (WTO); settlement of disputes; and the location of the Secretariat.

COP2: The second COP to the Rotterdam Convention met from 27-30 September 2005 in Rome, Italy. Delegates discussed and adopted decisions on: the programme of work and the budget for 2006; operational procedures of the CRC; the finalization of the arrangements between UNEP and FAO for the provision of the Secretariat to the Rotterdam Convention; pilot projects on the delivery of regional technical assistance; and cooperation and synergies among the Basel, Rotterdam and Stockholm conventions. Delegates agreed to forward a bracketed text on a compliance mechanism to COP3 and to task the Secretariat with a study on financial mechanisms.

COP3: The third COP to the Rotterdam Convention met from 9-13 October 2006 in Geneva, Switzerland. COP3 considered several reports on activities within the Convention's mandate and adopted 16 decisions on, *inter alia*: the programme of work; implementation of the Convention; financial mechanisms; and cooperation and coordination among the Basel, Rotterdam and Stockholm conventions. Delegates did not reach agreement on the mechanisms and procedures for non-compliance and deferred the decision on including chrysotile asbestos in Annex III (Chemicals subject to the PIC procedure) to COP4.

COP4: The fourth COP to the Rotterdam Convention convened from 27-31 October 2008, in Rome, Italy. COP4 adopted 13 decisions, including the addition of tributyltin compounds to Annex III of the Convention. The meeting also adopted: a programme of work and budget for the triennium 2009-11; a decision on implementation; and the recommendations of the *Ad Hoc* Joint Working Group on Enhancing Cooperation and Coordination among the Basel, Rotterdam and Stockholm Conventions (AHJWG). However, it could not agree on the inclusion of endosulfan or chrysotile asbestos in Annex III, or on mechanisms and procedures for non-compliance. Delegates agreed to revisit these issues at COP5.

INTERSESSIONAL HIGHLIGHTS

CRC 5-7: The fifth session of the Chemical Review Committee (CRC5) convened in Rome, Italy, from 23-27 March 2009, and recommended the inclusion of alachlor and aldicarb in the Convention's PIC Procedure. The sixth session of the CRC was held in Geneva, Switzerland, from 15-19 March 2010. It approved a revised DGD on endosulfan and recommended the inclusion of endosulfan in the Convention's PIC Procedure.

The seventh session of the CRC was held in Rome, Italy, from 28 March - 1 April 2011, and recommended the inclusion of azinphos-methyl in the Convention's PIC Procedure. This recommendation will be considered, together with CRC7's recommendation to include perfluorooctane sulfonic acid, its salts and the precursor perfluorooctane sulfonyl fluoride, bromodiphenyl ethers (BDEs) including tetraBDE, pentaBDE, hexaBDE, heptaBDE, octaBDE, nonaBDE, and decaBDE contained in commercial mixtures, at COP6, scheduled to convene in 2013.

CONSULTATIVE PROCESS ON FINANCING OPTIONS FOR CHEMICALS AND WASTES: Launched by UNEP Executive Director Achim Steiner in May 2009, in recognition of the need for adequate resources in the field of chemicals and wastes management, the purpose of the consultations is to analyze the current situation with regard to financing for chemicals and waste management at the national level. The expected outcome of this process is a set of strategic, synergistic proposals for improving the implementation of party obligations under chemicals-related multilateral environmental agreements. The final meeting of this process is expected to convene in late 2011.

Ex-COP: The simultaneous extraordinary Conferences of the Parties to the Basel, Rotterdam and Stockholm Conventions were held from 22-24 February 2010 in Bali, Indonesia. Delegates adopted an omnibus synergies decision on joint services, joint activities, synchronization of the budget cycles, joint audits, joint managerial functions, and review arrangements. As a result of the section of the decision on Joint Managerial functions, Jim Willis (US) was appointed as the Joint Head of the Basel and Stockholm Convention Secretariats and UNEP-part of the Rotterdam Convention Secretariat in April 2011.

STOCKHOLM CONVENTION COP5: The fifth meeting of the Conference of the Parties (COP5) to the Stockholm Convention on Persistent Organic Pollutants (POPs) was held from 25-29 April 2011, in Geneva, Switzerland. COP5 considered several reports on activities within the Convention's mandate and adopted over 30 decisions on, *inter alia*: listing endosulfan in Annex A (for elimination) of the Convention; financial and technical assistance; synergies among the three conventions; and endorsing seven new Stockholm Convention regional centres, in Algeria, Senegal, Kenya, South Africa, Iran, India and the Russian Federation.

19TH SESSION OF THE COMMISSION ON SUSTAINABLE DEVELOPMENT (CSD19): CSD19 convened from 2-14 May 2011, in New York, the US. Delegates focused on the thematic cluster on transport, chemicals, waste management, mining and the 10-Year Framework Programme on Sustainable Consumption and Production SCP. A negotiated outcome containing policy recommendations on its thematic cluster could not be agreed, and after failing to agree to convene a resumed session in June 2011, CSD 19 adjourned.



iisd | Reporting Services

Earth Negotiations Bulletin

**COP5
#2**

A Reporting Service for Environment and Development Negotiations

Online at <http://www.iisd.ca/chemical/pic/cop5/>

Vol. 15 No. 184

Published by the International Institute for Sustainable Development (IISD)

Tuesday, 21 June 2011

PIC COP 5 HIGHLIGHTS:

MONDAY, 20 JUNE 2011

The fifth Conference of the Parties (COP5) to the Rotterdam Convention on Prior Informed Consent (PIC) opened in Geneva, Switzerland on Monday, 20 June 2011.

In the morning, delegates heard opening statements, addressed organizational matters and initiated consideration of the budget and matters related to implementation. During the afternoon delegates discussed technical assistance and financial resources.

OPENING PLENARY

COP5 President Noluzuko (Zukie) Gwayi opened COP5, and expressed optimism that participants would use COP5 to improve the effectiveness of the Rotterdam Convention. She noted that support for the attendance of all parties was not available due to the Convention's extreme financial constraints.

Jim Willis, Joint Executive Secretary of the Basel, Stockholm, and Rotterdam Conventions, highlighted the successes of the Rotterdam Convention, including listing 40 chemicals and establishing the Chemical Review Committee (CRC) as a strong, science-based subsidiary body. Willis noted that current challenges include achieving progress on compliance, deciding how to deal with chemicals recommended by CRC but not listed in the Convention, and strengthening technical assistance. He also described the financial crisis facing the Secretariat due to currency fluctuations and arrears in the Italian contribution.

Peter Kenmore, Co-Executive Secretary of the Rotterdam Convention, noted FAO's US\$1 million contribution towards protecting human health and the environment through the sound management of chemicals, focusing specifically on pesticides management. He informed delegates of FAO's initiatives to strengthen communities' capacities to use and manage pesticides and protect human health in developing countries.

Bakary Kante, UNEP, for UNEP Executive Director Achim Steiner, reminded delegates that "decisions taken or not taken" will have a long lasting impact on human health and the environment. He emphasized that "status quo is no longer acceptable" and called for progress in discussions on the listing of new chemicals in Annex III, non-compliance and technical assistance.

OPENING STATEMENTS: The EU stressed the Convention must not shy away from adding chemicals to Annex III. Costa Rica, for GRULAC, underscored the need for financial and technical support for implementation. Zambia, for the AFRICAN GROUP, called for allowing voting when consensus cannot be reached and asked the Secretariat to present an evaluation of the Convention's effectiveness to COP6. SWITZERLAND said improving the Convention's effectiveness must be examined if all four proposed chemicals are not listed at COP5. ITALY discussed efforts to address arrears and

announced it would make payment "without further delay." NIGERIA, supported by ZAMBIA and SOUTH AFRICA, described the "mounting challenges" of implementation and called for provision of adequate technical and financial assistance to allow developing countries to fulfill Convention obligations.

SOUTH AFRICA suggested including technical activities in discussion of the budget, and called for expedited discussion on establishing mechanisms to list any CRC-recommended chemicals on which the COP is unable to reach consensus, including a possible new, voluntary annex to the Convention.

INDIA noted the importance of achieving Convention objectives within the framework of sustainable development, called for development of alternatives to listed chemicals, and emphasized the importance of consensus-based decision-making. CHINA called for consensus-based decision-making and a gradual approach to adding chemicals to Annex III.

ADOPTION OF THE AGENDA

COP5 President introduced the provisional agenda (UNEP/FAO/RC/COP.5/1/Rev.1), and it was adopted without amendment.

ORGANIZATIONAL MATTERS

ELECTION OF OFFICERS: COP5 President Gwayi requested that regional groups provide nominations by Friday morning.

RULES OF PROCEDURE FOR THE CONFERENCE OF THE PARTIES

The Secretariat introduced the issue (UNEP/FAO/RC/COP.5/3) and proposed deleting brackets around a clause stating that, when attempts at consensus are exhausted, a two-thirds majority vote can be used to reach a decision. A number of developing countries opposed this, and delegates agreed to revisit this issue at COP6.

MATTERS RELATED TO THE IMPLEMENTATION OF THE CONVENTION

STATUS OF IMPLEMENTATION: The Secretariat introduced the documents (UNEP/FAO/RC/COP.5/4-6 and UNEP/FAO/RC/COP.5/INF/2-3), noting that some country parties have multiple contact points, which presents a challenge to effective communication.

Reiterating commitment to the implementation of the Convention, the REPUBLIC OF KOREA informed delegates of his country's policies on import and export of hazardous chemicals.

The EU noted that the number of chemicals listed in Annex III is "disappointingly low," and encouraged parties to submit notifications in a timely manner. She called for further

This issue of the *Earth Negotiations Bulletin* © <enb@iisd.org> is written and edited by Melanie Ashton, Tallash Kantai, Keith Ripley, Jessica Templeton, and Liz Willetts. The Digital Editor is Angeles Estrada. The Editor is Pamela S. Chasek, Ph.D. <pam@iisd.org>. The Director of IISD Reporting Services is Langston James "Kimo" Goreau VI <kimo@iisd.org>. The Sustaining Donors of the *Bulletin* are the Government of the United States of America (through the Department of State Bureau of Oceans and International Environmental and Scientific Affairs), the Government of Canada (through CIDA), the Danish Ministry of Foreign Affairs, the German Federal Ministry for Economic Cooperation and Development (BMZ), the German Federal Ministry for the Environment, Nature Conservation and Nuclear Safety (BMU), the European Commission (DG-ENV), and the Italian Ministry for the Environment, Land and Sea. General Support for the *Bulletin* during 2011 is provided by the Norwegian Ministry of Foreign Affairs, the Government of Australia, the Ministry of Environment of Sweden, the New Zealand Ministry of Foreign Affairs and Trade, SWAN International, Swiss Federal Office for the Environment (FOEN), the Finnish Ministry for Foreign Affairs, the Japanese Ministry of Environment (through the Institute for Global Environmental Strategies - IGES), the Japanese Ministry of Economy, Trade and Industry (through the Global Industrial and Social Progress Research Institute - GISPRI) and the United Nations Environment Programme (UNEP). Funding for translation of the *Bulletin* into French has been provided by the Government of France, the Belgium Walloon Region, the Province of Québec, and the International Organization of the Francophone (OIF and IEPF). Funding for translation of the *Bulletin* into Spanish has been provided by the Spanish Ministry of the Environment and Rural and Marine Affairs. The opinions expressed in the *Bulletin* are those of the authors and do not necessarily reflect the views of IISD or other donors. Excerpts from the *Bulletin* may be used in non-commercial publications with appropriate academic citation. For information on the *Bulletin*, including requests to provide reporting services, contact the Director of IISD Reporting Services at <kimo@iisd.org>, +1-646-536-7556 or 300 East 56th St., 11D, New York, New York 10022, United States of America. The ENB Team at PIC COP5 can be contacted by e-mail at <melanie@iisd.org>. 代表団の友

information on the present status of import and export responses, and requested the Secretariat to contact designated national authorities (DNAs) for these responses.

THE PHILIPPINES highlighted the information exchange provided for in Article 14, and requested more information on hazardous chemicals that his country may be importing.

QATAR informed delegates that her country has banned the import of substances listed in Annex III.

BAHRAIN announced it is in the process of acceding to the Convention.

The Secretariat introduced its review of current chemical regulatory processes and their relationship to the definitions of banned or severely restricted chemicals in Article 2 (UNEP/FAO/RC/COP.5/4). The EU proposed drafting a COP decision requiring the Secretariat to develop guidance on the application of Article 2 definitions. NORWAY said notifications received for over 200 chemicals not yet listed in Annex III underscored the need for technical assistance to developing countries and countries with economies in transition. SUDAN suggested that each party nominate only one focal point and DNA for the Basel, Stockholm and Rotterdam conventions. The Secretariat noted that guidance materials on notifications already exist, but promised to develop further guidance.

The EU said that "severe restrictions" requires clarification. The DEMOCRATIC REPUBLIC OF THE CONGO (DRC) called for training of people working in chemicals sectors. COP5 President Gwayi requested the Secretariat to prepare recommendations for consideration and possible adoption at COP6, including guidelines on "severe restrictions."

TECHNICAL ASSISTANCE: On technical assistance (UNEP/FAO/RC/COP.5/18-19), the Secretariat summarized a report on recent activities and said the current work programme would focus on: joint Convention implementation; partnerships; capacity for industrial chemicals management; and support for submissions on severely hazardous pesticides. IRAN identified the need to provide assistance in addition to workshops. The EU emphasized that the plan for industrial chemicals is not linked to this Convention and is managed by external stakeholders, and requested that a table listing costs be provided, as was provided during COP4.

The REPUBLIC OF KOREA underscored the importance of cooperating with other organizations, such as the UN Institute for Training and Research (UNITAR), in technical assistance. BRAZIL discussed its plans to convene a national stakeholder workshop on the Convention in an effort to ensure compliance. Highlighting the importance of pilot projects to ensure control of hazardous substances, JORDAN proposed its national project be funded by the Voluntary Trust Fund. The AFRICAN GROUP proposed an evaluation of technical assistance activities. BURKINA FASO said technical assistance activities should be further expanded. ECUADOR underscored the need for further work on hazardous industrial chemicals. JAPAN stressed the need for activities to be directly applicable to the Convention and non-duplicative. Expressing concern at the financial situation faced by the Convention, PANAMA stressed the need to take decisions on this matter at COP5. SWITZERLAND highlighted the need to prioritize technical assistance activities and, supported by AUSTRALIA, proposed discussing this issue in the budget contact group. BOLIVIA highlighted the need for long-term finance.

TANZANIA, supported by DRC, called for training of stakeholders to raise awareness of the dangers of chemicals.

CUBA suggested increasing the activities contained in the 2012-2013 workplan and highlighted the need to clarify available resources to facilitate proposed activities. SENEGAL emphasized the need to share experience in data collection and transmission, to identify dangerous chemicals in developing countries, and to train health workers to deal with cases of toxicity. NIGER suggested that technical assistance could be promoted through sub-regional centers, including universities and hospitals.

FAO described the activities of the Inter-Organization Programme for the Sound Management of Chemicals (IOMC) to support implementation of the Rotterdam Convention.

Delegates agreed to expand the mandate of the contact group on budget to address technical assistance.

FINANCIAL RESOURCES: The Secretariat introduced the documents (UNEP/FAO/RC/COP.5/17, UNEP/FAO/RC/COP.5/INF/7, and UNEP/FAO/RC/COP.5/INF/18).

Commenting on the UNEP Consultative Process on Financing Options for Chemicals and Wastes, Bakary Kante, UNEP, noted that a fifth meeting is required to streamline the four tracks for financing chemicals and waste, and said that the recommendations from this meeting would be discussed at the next UNEP Governing Council meeting.

The EU welcomed the actions taken by the Secretariat to continue working with the Global Environment Facility (GEF), the FAO and UNITAR to ensure that the Convention provisions are taken into account in the development of technical assistance projects. The EU supported the GEF as the funding mechanism.

Calling for the timely payment of host-country contributions, the AFRICAN GROUP cautioned that any reallocation of funds should be carefully considered and should not negatively affect developing country participation.

JAPAN welcomed GEF's decision to broaden funding for chemicals management. CUBA said that without a COP5 decision establishing a sustainable and reliable funding mechanism, it could not support more listings in Annex III. BOLIVIA called for an independent mechanism modeled after the Montreal Protocol's Multilateral Fund. UNITAR stressed its support for Convention implementation, including new guidance material on mobilization of resources for the sound management of chemicals. President Gwayi asked the Secretariat to draft a decision, taking note of the Secretariat's activities to continue collaboration with relevant partners, as well as plenary interventions.

PROGRAMME OF WORK OF THE SECRETARIAT AND ADOPTION OF THE BUDGET

On the adoption of the budget (UNEP/FAO/RC/COP.5/23-24), the Secretariat expressed concern that outstanding arrears currently totaled US\$2 million and outlined budget scenarios. JAPAN strongly supported maintaining the operational budget at the 2009-2011 level in nominal terms, adding that a change in host country allocations would have a negative impact and increase the burden of others. The EU, with NORWAY, suggested convening a contact group on the issue, underscored the need to increase efficiency, and suggested Jim Willis be given the flexibility to address staffing issues. SWITZERLAND noted its financial contributions and proposed that its contributions be split equally between the core budget in support of synergistic processes and funding for developing country participation in the Convention. SUDAN, with the DRC, called for financing for developing countries participation. COP President Gwayi proposed establishing a contact group, chaired by Kerstin Stendahl (Finland), to develop a draft decision on the budget, taking into consideration the priorities of the draft programme of work and parties' interventions.

IN THE CORRIDORS

As participants launched into the COP5 workload, repeated concerns were raised over the dire financial situation constraining the work of the Secretariat. With Italy's arrears currently at US\$2 million, many participants breathed a sigh of relief when Italy confirmed it would resolve these "without further delay." However not everyone was satisfied, stating they would "believe it when the funds arrived." Some seasoned delegates said that this is a recurrent situation directly impacting the Secretariat's work. They predicted more grueling than usual budget and technical assistance deliberations, stating that the group would also need to consider strategic ways to prevent this situation in the future, as well as to ensure all parties make their core contributions within the stipulated timeframe.

PIC COP5 HIGHLIGHTS: TUESDAY, 21 JUNE 2011

The fifth Conference of the Parties (COP5) to the Rotterdam Convention on Prior Informed Consent (PIC) convened for its second day in Geneva, Switzerland on Tuesday, 21 June 2011.

In the morning, delegates considered chemicals to be listed in Annex III. During the afternoon delegates discussed matters related to the CRC and synergies. A contact group on budget and technical assistance also met throughout the day.

MATTERS RELATED TO THE IMPLEMENTATION OF THE CONVENTION

STATUS OF IMPLEMENTATION: The Secretariat introduced the document (UNEP/FAO/RC/COP.5/6) on possible approaches to dealing with chemicals recommended for listing in Annex III by the CRC but on which the COP is unable to reach consensus. SOUTH AFRICA and NIGERIA called for a contact group to draft a decision on possible approaches. COLOMBIA, CUBA and VENEZUELA suggested a new annex might violate the spirit of the Convention, while SWITZERLAND preferred it. The EU announced it would circulate a conference room paper (CRP) proposing a COP decision allowing for temporary and voluntary application of the PIC procedure on a specific chemical until the next COP.

Noting the potential downstream consequences of failing to list chrysotile asbestos, AUSTRALIA suggested establishing a contact group to resolve technical misunderstandings regarding the chemical, and if this is not possible to consider other approaches. UKRAINE, with the RUSSIAN FEDERATION, stressed the need to ensure that the notifications are done correctly, and cautioned against abandoning consensus. The CHRYSOTILE INSTITUTE emphasized the importance of consensus and said creating new annexes would weaken the Convention.

Jim Willis emphasized that in the absence of a decision to list a substance in Annex III, CRC-recommended substances must be considered at every COP.

Delegates agreed to establish a contact group to first consider possible listing of the substance, and, if it is unable to reach agreement, to prepare an approach for dealing with CRC-recommended substances on which COP is unable to reach consensus. Karel Blaha (Czech Republic), and Hala Al-Easa (Qatar), agreed to co-chair the contact group.

CHEMICAL REVIEW COMMITTEE: The Secretariat introduced the documents (UNEP/FAO/RC/COP.5/7/Rev.1; UNEP/FAO/RC/COP.5/8-9). Delegates agreed to confirm the proposed appointments to the CRC.

President Gwayi then introduced nominations of governments which will designate experts to the CRC (UNEP/FAO/RC/COP.5/8), noting that the actions underlined in the paper

included the submission of country nominations by regional groups. Parties requested the Secretariat to draft a decision on this matter.

CRC Chair Marit Randall (Norway) presented reports of the CRC5, CRC6 and CRC7 (UNEP/FAO/RC/COP.5/9, Add.1/Rev.1, Add.2/Rev.1 and Add.3). In the ensuing discussion, the EU welcomed the continuing work of the CRC on the application of the Annex II criteria, noting that this work should improve the number of notifications meeting the criteria in the future. The AFRICAN GROUP urged the COP to recognize regional studies as an appropriate tool for use in notifications.

NORWAY, supported by CANADA and the US, recognized the important role of observers in the work of the CRC and stressed that this should continue. On UNEP's legal interpretation of "intentional misuse," CANADA underscored that listing cannot be justified on this basis alone. CROPLIFE INTERNATIONAL expressed concern about the CRC's application of the Annex 2 and Annex 4 criteria, stating that current practices lack rigor.

CONSIDERATION OF CHEMICALS FOR INCLUSION IN ANNEX III TO THE CONVENTION: Alachlor and Aldicarb:

The Secretariat discussed the review of alachlor (UNEP/FAO/RC/COP.5/14) and aldicarb (UNEP/FAO/RC/COP.5/15) for inclusion in Annex III, the list of chemicals and pesticides banned or restricted for health and environmental reasons. President Gwayi stated that the adoption process for each chemical included: review of notifications from different regions on the chemical; recommendations from the CRC; and agreement of parties that the chemical meets requirements in articles 5 and 7 of the Convention, stating that notifications were received from at least two PIC regions and that notifications satisfy the criteria as listed in Annex II. Decisions to list both chemicals were adopted and will enter into force on 24 October 2011.

Endosulfan: The Secretariat introduced the documents (UNEP/FAO/RC/COP.5/12-13), and President Gwayi opened the floor for discussion. Parties' statements focused on the availability of technical assistance.

CUBA called for inclusion of references to financial and technical assistance in the decision. President Gwayi suggested that Cuba submit relevant text to the budget and technical assistance contact group. Masa Nagai, UNEP Legal Adviser, clarified that decisions on CRC recommendations are technical, and said political issues should be discussed elsewhere. CUBA, supported by ARGENTINA, emphasized that COP decisions are political and have policy consequences. IRAN suggested putting language in the draft report to address Cuba's concerns. The EU, supported by NORWAY, recalled that similar concerns were resolved under the Stockholm Convention as part of technical

assistance discussions, and suggested proceeding to listing. MAURITANIA called for an immediate decision on Annex III listing. Delegates agreed to revisit this issue later in the week.

Chrysotile asbestos: The Secretariat introduced its note on listing chrysotile asbestos (UNEP/FAO/RC/COP.5/11). The UKRAINE, KAZAKHSTAN, KYRGYZSTAN, and VIET NAM opposed listing, stating that the scientific case regarding risks is inconclusive, and that suitable substitutes are not available. INDIA and SUDAN opposed the listing, citing respective pieces of national evidence suggesting the substance can be used safely. GUINEA requested these studies be made available for comparative analysis in the Convention. UKRAINE said the recommendation made by the CRC was not made by consensus. ZIMBABWE, the RUSSIAN FEDERATION, and the ASBESTOS INFORMATION CENTRE opposed listing chrysotile asbestos and, with IRAQ, questioned the evidence of harm to human health. The INTERNATIONAL ALLIANCE ON TRADE UNION ORGANIZATIONS opposed the listing, emphasizing that tens of thousands of jobs would be lost.

JAMAICA, NIGERIA, ZAMBIA, JORDAN, SWITZERLAND, KENYA, MALDIVES, ARGENTINA, GUINEA, BOLIVIA, VENEZUELA, REPUBLIC OF KOREA, SENEGAL, NORWAY, DOMINICAN REPUBLIC, THAILAND, SAUDI ARABIA, the ROTTERDAM CONVENTION ALLIANCE, AUSTRALIA and the EU supported listing chrysotile asbestos in Annex III.

Parties in support noted that: CRC recommendations clearly indicate asbestos is a hazardous substance, harmful to human health and the environment, as stated by the WHO; that PIC is important for developing countries which have weak legal and institutional structures for addressing hazardous materials; that risk assessment evaluations indicate asbestos risk is difficult to manage; and that listing the chemical is different from restricting it and the goal of the Convention is to enhance transparency through the PIC procedure.

AUSTRALIA suggested considering ways to ensure the Convention can meet its objectives if the substance is not listed at COP5. SWITZERLAND proposed that the functionality of the Convention be evaluated and improved. The EU proposed a contact group to address this issue.

President Gwayi postponed further discussion until after consideration of approaches for dealing with chemicals recommended by CRC on which COP is unable to reach consensus.

INFORMATION EXCHANGE: The Secretariat introduced the documents (UNEP/FAO/RC/COP.5/20 and UNEP/FAO/RC/COP.5/INF/8.)

The EU emphasized the need for a well-functioning, practical, cost-efficient and regularly updated information exchange system. The COP asked the Secretariat to draft a decision on the proposed strategic plan for establishing procedures for the Rotterdam Convention component of the joint clearinghouse mechanism.

ENHANCING COOPERATION AND COORDINATION AMONG THE BASEL, ROTTERDAM AND STOCKHOLM CONVENTIONS

The Secretariat introduced the documents (UNEP/FAO/RC/COP.5/25, 25/Add.1-6, and UNEP/FAO/RC/COP.5/INF/11-12, INF12/rev.1, INF/14-17) on this item, highlighting the Stockholm Convention's Decision SC 5/27 (UNEP/FAO/RC/COP.5/INF/17) on this issue, and outlining the minor editorial changes necessary for adoption of a substantively identical decision at COP5.

ARGENTINA, ECUADOR, the EU, NORWAY, and SWITZERLAND expressed support for the synergies process.

ECUADOR emphasized the importance of institutionalizing meetings of the joint bureau.

COP5 requested that the Secretariat prepare a draft decision based on the decisions taken by COP5 of the Stockholm Convention, containing appropriate modifications.

CONTACT GROUPS

BUDGET AND TECHNICAL ASSISTANCE: The contact group, Co-Chaired by Kerstin Stendahl (Finland) and Mohammed Khashashneh (Jordan) on budget and technical assistance began its work on Tuesday morning, and worked into the evening.

In the morning, the Secretariat introduced documents (UNEP/FAO/RC/COP.5/22-24 and Add.1, and UNEP/FAO/RC/COP.5/INF/9), as well as additional explanatory documentation, including the scale of assessment and the status of the fund balance and operating reserve as of December 2010. She noted that the proposed budget had been prepared to reflect both the Executive Secretary's scenario and a nominal growth scenario.

Co-Chair Stendahl noted that, as the budget decision should mirror the one taken during Stockholm Convention's last COP, the group will also discuss the financial rules.

SWITZERLAND proposed reflecting the reallocation of half of their contribution to the Voluntary Fund in the nominal growth scenario, with some developed country parties proposing instead that only a quarter of the Swiss contribution go into the Voluntary Fund. Both proposals will be discussed. One regional bloc suggested that the exchange rate used in both the scenarios be an average from January 2010.

In the evening, the group discussed the legality of reallocating host country contributions to the voluntary trust fund, considering that assessed contributions will increase.

On technical assistance, Co-Chair Khashashneh informed delegates they would need to consider the Cuban proposal to include technical assistance for new chemicals in the budget.

The Secretariat then introduced the documents (UNEP/FAO/RC/COP.5/19 and UNEP/FAO/RC/COP.5/INF/17), as well as additional information including a summary of the costs of individual elements of the proposed work programme for the regional and national delivery of technical assistance for 2012-2013, presented under both budget scenarios.

A few parties noted that technical assistance is funded by voluntary funds and is therefore not secure.

One developed regional group sought clarification on the need for technical assistance on the four new chemicals up for listing, suggesting that technical assistance in terms of workshops and training meetings could be undertaken by UNITAR or FAO.

Developing countries then prioritized additional technical assistance activities, including hands-on training, resource kits, electronic tools, and a help desk. A developed country noted that the clearinghouse mechanism already provides similar functions, and called for greater efficiency in the process. The Secretariat emphasized that resources are needed to assist developing countries in interpreting and implementing complicated technical DGDs provided by the experts in the CRC.

IN THE CORRIDORS

Tuesday's negotiations got off to an efficient start with the swift adoption of decisions to list alachlor and aldicarb. However, progress ground to a halt when parties considered endosulfan and some parties called for linking decisions to list with guarantees of financial and technical assistance.

Within the contact group, however, delegates were thoroughly confused as to how to deal with technical assistance activities relating to banned substances (such as endosulfan). "Very few countries will need it once the ban comes into force," said one. "It's the interpretation of the DGDs for which we will need assistance," answered a small country.

In response to the numerous times the Stockholm Convention was invoked during the contact group deliberations, several concluded that some delegates appeared confused about what falls under Rotterdam's definition of assistance. Others said, ironically, "for all the attention spent on developing synergies among the chemicals Conventions, a clearer understanding of the respective mandates is what's needed."

PIC COP5 HIGHLIGHTS: WEDNESDAY, 22 JUNE 2011

The fifth Conference of the Parties (COP5) to the Rotterdam Convention on Prior Informed Consent (PIC) convened for its third day in Geneva, Switzerland on Wednesday, 22 June 2011.

In the morning, delegates considered synergies, non-compliance and trade. During the afternoon, delegates took decisions on synergies and financial resources. Contact groups on budget and technical assistance, candidate chemicals, and non-compliance met throughout the day.

ORGANIZATIONAL MATTERS

President Gwayi announced that several countries have yet to submit credentials, and Masa Nagai, UNEP Legal Adviser, explained that parties failing to submit these will be excluded from decision-making.

MATTERS RELATED TO THE IMPLEMENTATION OF THE CONVENTION

CRC: In the afternoon, President Gwayi introduced the draft decision on confirmation of appointments of government-designated experts as members of the CRC (UNEP/FAO/RC/COP.5/CRP.8), and delegates adopted the decision without amendment.

President Gwayi then introduced the draft decision on nomination of governments to designate experts for the CRC (UNEP/FAO/RC/COP.5/CRP.7). Noting that GRULAC has yet to determine which two countries will nominate experts, the Secretariat listed the countries chosen by the other regions to nominate new experts: DRC, the Gambia, Mali, Zambia, India, Kuwait, Republic of Korea, Saudi Arabia, Bulgaria, Austria, Germany, and Switzerland.

COP5 adopted the decision without amendment.

NON-COMPLIANCE: On non-compliance (UNEP/FAO/RC/COP.5/16), the AFRICAN GROUP, the EU, JAPAN, COLOMBIA and SWITZERLAND supported adopting the draft text contained in the annex on establishing a compliance mechanism. The AFRICAN GROUP supported a majority vote option if consensus cannot be reached. The EU and SWITZERLAND highlighted the importance of the mechanism for implementation. COLOMBIA proposed establishing a contact group.

CUBA, IRAN, and BOLIVIA opposed, stating that the issue is conditional on establishing a mechanism on technical and financial assistance that works jointly between the chemicals and wastes conventions.

President Gwayi said a contact group should address the draft text and, in the case of no agreement, also make recommendations for the work of COP6.

President Gwayi confirmed the establishment of a contact group, to be co-chaired by Abiola Olanipekun (Nigeria) and Mona Westergaard (Denmark). She suggested the group first

attempt to clear the existing text with the aim of adopting it at COP5, and in the event of failure to reach agreement, outline steps to be taken by COP6 to achieve progress.

CHILE suggested that steps should be taken intersessionally to agree on a mechanism for adoption at the next COP. CUBA questioned the validity of giving a mandate to an intersessional working group.

President Gwayi confirmed that such practice is common, emphasized that parties would be kept informed of such a group's activities, and mandated the contact group to begin work immediately.

FINANCIAL RESOURCES: In the afternoon, President Gwayi introduced the draft decision (UNEP/FAO/RC/COP.5/CRP.2), and the delegates adopted the decision without amendment.

TRADE: The Secretariat introduced the issue (UNEP/FAO/RC/COP.5/21) noting the Rotterdam Convention's pending request for observer status at the World Trade Organization's Committee for Trade and Environment (CTE).

The AFRICAN GROUP expressed concern at the slow pace at which the Convention is promoting the Globally Harmonized System (GHS) in developing countries, and urged the COP to take a decision on increased cooperation between the Convention and UNITAR. The Secretariat confirmed that this matter is addressed in the decision on financial resources.

COLOMBIA proposed that the decision include an invitation to parties to promote domestic coordination to ensure that the Rotterdam Convention is granted observer status in the CTE. COP5 agreed to take note of progress made and requested the Secretariat to draft a decision on this matter.

ENHANCING COOPERATION AND COORDINATION AMONG THE BASEL, ROTTERDAM AND STOCKHOLM CONVENTIONS

COSTA RICA, on behalf of GRULAC and supported by URUGUAY and the DOMINICAN REPUBLIC, expressed support for the draft decision outlined by the Secretariat.

The AFRICAN GROUP suggested adding text referencing technical assistance to the decision.

CHILE, supported by COLOMBIA, CUBA, and URUGUAY, emphasized that the decision text needs to be substantively identical to Stockholm Convention decision SC.5/27 to avoid sending the decision back to the Stockholm Convention COP for adoption. Jim Willis concurred, noting that Zambia's concerns could be addressed in discussions of technical assistance, and ZAMBIA agreed to raise its concerns in the contact group.

UKRAINE, on behalf of CENTRAL AND EASTERN EUROPE, called for adoption of the decision.

URUGUAY and the DOMINICAN REPUBLIC emphasized the importance of establishing a robust financial mechanism for the three conventions.

CHILE called for immediate adoption of the decision, and the EU said it preferred to defer adoption until the CRP was available.

In the afternoon, President Gwayi introduced the draft decision (UNEP/FAO/RC/COP.5/CRP.9), and the delegates adopted the decision without amendment.

CONTACT GROUPS

BUDGET AND TECHNICAL ASSISTANCE: In the contact group, co-chaired by Kerstin Stendahl (Finland) and Mohammed Khashashneh (Jordan), delegates discussed elements related to eight technical assistance activities, including: awareness-raising and training; development of a resource kit to promote the Convention's ratification and implementation; development of elements of national action plans and other strategies for the Convention's implementation; enhancing information exchange between trade partners; support for submissions of proposals on severely hazardous pesticide formulations; strengthening capacity for industrial chemicals management; facilitating the preparation of notifications of final regulatory action; and building capacity to gain access to and use the Convention components of the joint clearinghouse mechanism.

One developed country regional group requested that the technical assistance work-plan for the biennium 2012–2013 be more detailed, particularly regarding technical assistance activities geared towards industrial chemicals, and called on developing countries to provide information on their technical assistance priorities. One developing country regional group broadly prioritized information exchange and technology transfer, with a preference for greater use of electronic media for information exchange, and another stressed that information on industrial chemicals is key.

In the afternoon, delegates discussed a revised description of activities, based on activities contained in the budget and including reference to those that could be covered under the synergies activities. One developed country regional group stressed that approval of any activity would be subject to the availability of funding, and requested that more detailed discussions on individual items occur when each item is costed. One developing country regional group requested information on the expected savings from synergistic activities. In response, Jim Willis noted that these figures would only be available after a proposal on management functions is addressed later in the year.

On the budget, delegates did a first reading of the programme budget, focusing on technical assistance activities, and basing their discussions on the nominal growth scenario with the 25% reallocation of the Swiss contribution.

The group approved the amended financial rules, including a procedure for the allocation of funding from the Voluntary Special Trust Fund for facilitating parties' participation at meetings of the COP, for adoption by plenary. The group also discussed the draft decision, and agreed to revisit text regarding the proposed reallocation of the Swiss contribution after written advice from UNEP's legal adviser.

CANDIDATE CHEMICALS: The contact group, co-chaired by Karel Blaha (Czech Republic) and Hala Al-Easa (Qatar), discussed concerns about listing chrysotile asbestos in Annex III. INDIA announced that they had reconsidered their opposition and would support listing. INDIA agreed to chair a small breakout group to continue discussions with opponents to listing about their specific concerns.

Regarding the contact group's mandate from plenary to explore options in case consensus is not reached on listing a chemical, Co-Chair Blaha explained that no parties favored adopting a new annex.

The group then discussed the EU proposal (CRP.5) for a temporary and voluntary application of PIC until a listing decision is taken at the next COP, with some delegates expressing concern about the precedent it might set and its possible impact on seeking consensus on future candidate chemicals. The EU stressed that the commitments under the proposal were voluntary and political, not legal.

To facilitate potential agreement on listing chrysotile asbestos, a small drafting group was formed to draft an accompanying decision to one listing chrysotile asbestos in Annex III, to request: parties and all other stakeholders to promote information exchange on measures to minimize risks and on alternative substances; the Secretariat to collect and distribute the information; and the CRC to report to a future COP on the information available.

When the small drafting group announced no consensus had been reached on listing chrysotile asbestos, Co-Chair Blaha presented the draft. Some countries previously opposed to listing expressed interest in the proposal, and requested time to consult regionally and with capitals. One exporting country which had not previously expressed its position on listing indicated that in no case could it join a consensus for listing, even with the proposed companion decision. Co-Chair Blaha deferred further discussion on this matter until Thursday, after consulting with the Bureau.

NON-COMPLIANCE: The contact group heard statements on parties' general concerns.

Parties highlighted concerns on, *inter alia*: facilitation; possible measures to address compliance issues; handling of information; and the nature of the mechanism. Discussion focused on how cases of non-compliance would trigger the mechanism and through what entities. Parties' preferences included: a "broader" trigger mechanism; a Secretariat trigger; both party-to-party and party-to-Secretariat triggers; a state trigger or member-party trigger; and a committee trigger. A number of parties suggested drawing on the experience of the Basel Convention.

Views diverged as to whether the proposed committee could make better decisions with more restricted information, or with as much information as possible as opposed to "artificially excluded information."

One developing country emphasized the need to address means of implementation of the mechanism and the consequences for non-compliance, and was supported by a number of parties.

Many parties expressed a preference for a non-punitive mechanism, and to use voting as a last resort if consensus cannot be reached within the group. Discussions continued into the evening.

IN THE CORRIDORS

COP5 participants were greeted with good news on Wednesday morning, as India announced its support for listing chrysotile asbestos in Annex III. This change of heart took most delegates by surprise, and environmental NGOs lauded India for "ending the deadlock." Several participants predicted agreement on chrysotile by the close of Wednesday's negotiations. The apparent progress was bolstered by India's agreement to take the lead in small group discussions with the remaining parties opposed to listing. While many said it would be useful for India to share its decision process with others, not everyone was confident that a change in the position of one delegation would result in the listing of chrysotile. They stated that the odds were still stacked against listing the substance that has hamstrung Rotterdam for the last two COPs, and questioned the preparedness of the very silent elephant in the room to alter its position. Others wondered at what point that elephant would be forced to break its silence.

By late afternoon, all bets were off. As opponents to listing chrysotile became sparse, the elephant was left with nowhere to hide. Tempers flared as Canada confirmed it would not join any consensus on listing chrysotile. Usual allies questioned why the party would allow negotiations to progress even as it knew it could not join the consensus. Seasoned delegates whose mandates cross environmental regimes recalled the recent Climate COP16, noting that parties there were determined not to allow one party to block consensus, and moved forward with decisions by "general agreement." They recalled that this was an option flagged at the recent Stockholm COP5 (but which ultimately proved unnecessary), and wondered if parties would be prepared to take such a drastic line in this process.

PIC COP5 HIGHLIGHTS: THURSDAY, 23 JUNE 2011

The fifth Conference of the Parties (COP5) to the Rotterdam Convention on Prior Informed Consent (PIC) convened for its fourth day in Geneva, Switzerland on Thursday, 23 June 2011.

In the morning, delegates convened briefly in plenary and adopted a decision on trade. Work continued in contact groups on budget and technical assistance, candidate chemicals, and non-compliance. During the afternoon, delegates convened in plenary and exchanged views on chrysotile asbestos.

MATTERS RELATED TO THE IMPLEMENTATION OF THE CONVENTION

CRC: The Secretariat announced that Brazil and Mexico will nominate experts for the CRC for the GRULAC region.

CONSIDERATION OF CHEMICALS FOR INCLUSION IN ANNEX III TO THE CONVENTION: Thursday morning in plenary, candidate chemicals contact group co-chairs Karel Blaha (Czech Republic) and Hala Al-Easa (Qatar) updated delegates on progress of discussions. Citing confusion in the group over the meaning of “listing” as opposed to “banning,” they noted that consensus on listing chrysotile asbestos had not been reached. In response, the UKRAINE stated that failure to reach consensus was not related to a misunderstanding, or to imposing conditions on listing. Delegates agreed to continue discussions in the contact group.

Reporting to plenary in the afternoon, Co-Chair Blaha explained that the contact group had not made progress on listing chrysotile asbestos.

The AFRICAN GROUP requested the co-chairs to state which parties are opposed to listing the substance. Contact Group Co-Chair Blaha confirmed that the countries opposed to listing chrysotile were the Ukraine, Kazakhstan, Kyrgyzstan, Viet Nam and Canada. He noted that the Ukraine and Kazakhstan cited lack of scientific data and that Canada had not explained the reasons for its position. He said Kyrgyzstan and Viet Nam did not participate in the contact group.

KAZAKHSTAN noted no agreement was reached in the contact group on consideration of chrysotile at COP6. KYRGYZSTAN, with the RUSSIAN FEDERATION, stated that new notifications were required for chrysotile asbestos, and requested a legal opinion. President Gwayi confirmed that the DGD for chrysotile asbestos was not in question.

NORWAY thanked India for its flexibility on listing and urged parties to move forward. The UKRAINE underscored the need for considering additional information on chrysotile at the CRC and requested legal clarification on the matter.

AUSTRALIA expressed disappointment at the outcome, but expressed hope that some progress could be made in understanding the difficulties faced by opposing countries. Supported by MEXICO and the EU, he suggested convening an informal apolitical discussion to connect those requesting additional information with those possessing information.

Emphasizing the high costs for developing countries attending COPs, the AFRICAN GROUP said Canada had not allowed the group to understand their issues and called on the country to put forward its reasons for opposition. KENYA pleaded with opposing countries to give developing countries the opportunity to safeguard their populations’ health and environment.

The EU expressed severe disappointment at the outcome, underscored the need to move forward, as opposed to backward, and thanked India for its courage and solidarity.

CANADA stressed that it was present during the contact group discussions and asserted its right to state its position at the time it thought best. He said “for over 30 years Canada has actively promoted the safe and controlled use of chrysotile” and requested his country’s position be respected. Expressing preparedness to work on elaborating a voluntary PIC mechanism, he cautioned against concluding that the Convention is not functioning properly.

In response, the EU questioned why Canada does not view the PIC procedure as contributing to the safe management of chemicals. She also questioned Canada’s wish to work within the rules of the COP, which require parties to avoid bringing forward matters unrelated to the Convention. KENYA requested that Canada provide a reason for its position.

President Gwayi repeated that Canada’s primary reason for opposing listing is that it has been responsible about exports and control of use, and CANADA clarified that it has actively promoted safe and controlled use of the substance domestically and internationally.

ROCA challenged the relevance of Canada’s reasons and urged parties not to allow economic and political reasons to undermine the scientific basis of the Convention.

THE INTERNATIONAL ALLIANCE OF TRADE UNION ORGANIZATIONS suggested permanently withdrawing chrysotile asbestos from the agenda of the COP. The CHRYSOTILE INSTITUTE said scientific studies show that health risks from exposure to chrysotile are so low as to not be measurable.

WHO expressed disappointment that a decision has not been reached given that the criteria for listing have been met.

President Gwayi suggested convening an informal group, to be facilitated by Barry Reville (Australia), for informal discussion. CANADA reemphasized that it will not agree to listing at COP5.

TRADE: The Secretariat introduced the draft decision on cooperation with the WTO (UNEP/FAO/RC/COP.5/CRP.10). COP5 adopted the decision without amendment.

CONTACT GROUPS

BUDGET AND TECHNICAL ASSISTANCE: On Thursday morning, the contact group discussed the revised programme budget for 2012-2013. Co-Chair Stendahl requested the group to finalize their work by the end of the day in order to have time to readdress, and accordingly adjust, the budget in case of "any disconcerting news that may come from Italy."

One developed party regional group noted that the proposed partial reallocation of the Swiss contribution implies a 20% increase in assessed contributions across the board, with individual party contributions increasing by over 160% in some cases. She highlighted that this estimate was based on the assumption that the Italian host contribution would be available. Many delegates stressed that any savings made were not to be earmarked for reallocation to other activities.

One party suggested that technical assistance activities be prioritized, and proposed that some of these activities be financed under the core budget to ensure that they are addressed. Others disagreed, with one regional group noting that it is not standard practice to make developing country parties pay for technical assistance activities to be performed in other developing countries.

Delegates prioritized four technical assistance activities, including: reviewing content and components of a resource kit; developing action-oriented tools to identify and outline elements for national actions; strengthening national capacities related to severely hazardous pesticide formulations; and preparing notifications of final regulatory action.

CANDIDATE CHEMICALS: The contact group met Thursday morning and briefly in the afternoon.

Masa Nagai, UNEP Legal Affairs Adviser, explained the possible legal consequences of applying the voluntary and temporary PIC procedure to one chemical until the next COP, as proposed by the EU (CRP.5/Rev.1). He clarified that the proposed procedure was completely voluntary for both importing and exporting parties, and would have no legal consequences for any party.

In subsequent discussion, several developing country delegations expressed concerns that: a voluntary procedure might set an unfortunate precedent; information exchange is already an obligation under the Convention; and the decision may create *de facto* legal obligations.

Co-Chair Blaha suspended contact group deliberations and requested a small drafting group of interested parties to work on amending CRP.5/Rev.1. As many of the delegations with concerns had left the room, work did not proceed.

In the afternoon, some delegates suggested the group consider drafting two decisions for plenary consideration: carrying forward to COP6 the issue of listing chrysotile asbestos; and another requesting the Secretariat to prepare a paper for COP6 on options for improving the effectiveness of the Convention. Several parties opposed a decision. An international scientific conference on chrysotile asbestos to examine all scientific data prior to CRC8 was proposed. This was opposed by several parties, who noted that the CRC's recommendation is final.

Some opposing countries requested UNEP's Legal Adviser to produce a written legal opinion stating why chemicals cannot be reconsidered by the CRC based on the availability of new scientific information. Co-Chair Blaha said that drafting such a decision was beyond the group's mandate, and he closed the discussion in order to seek a revised mandate from the plenary.

NON-COMPLIANCE: Co-Chair Westergaard summarized that parties had agreed the mechanism be: facilitative, transparent, able to identify cases of non-compliance, and able to help non-compliant parties. Despite this agreement, several

parties expressed reservations that continued work would be wasteful because some countries had already indicated they did not intend to adopt a clean text.

After opening discussion on matters of consensus, negotiations stalled, with some parties emphasizing that lack of flexibility on brackets not only indicated lack of willingness to negotiate the text as a whole, but also lack of interest in creating a facilitative and effective mechanism.

Parties also reviewed new text proposed by a developing country, which provided: a preamble; additions to text on the Committee's assistance to non-compliant parties, which elaborates on assistance for access and capacity building, and calls for parties to develop action plans; and on measures to address compliance, including the enlargement of the Special Trust Fund to include an implementation fund earmarked for the compliance committee. Several countries supported the proposed text, saying it strengthened the mechanism, made it more facilitative, effectively drew on other conventions and addressed implementation. Some shared concerns that: it may negatively incentivize parties to obtain resources before complying; the uses for the funds were unclear; and as a voluntary fund it might be an "empty promise."

On the mechanism's trigger, after agreeing to accept the party-to-party trigger, the debate focused on the secretariat trigger. Many parties noted it exists under the Basel Convention, and called the Secretariat an important and "impartial" source. Others recalled that the Secretariat's role under Basel differs in that it is limited to reporting, and did not support the Secretariat taking on the ability to "judge" or "police" this process.

On measures to address compliance issues, parties debated enabling the compliance committee to undertake an inclusive or exclusive list of measures. Parties agreed to an inclusive list.

On the handling of information, parties debated language to refer to the types of information sources the committee can receive, and whether and how to limit the mandate of the committee in obtaining that information.

INFORMALS

INFORMATION ON ASBESTOS: Delegates discussed available and required information on asbestos. Summarizing the discussion, Facilitator Reville said those opposing listing: doubt there is sufficient scientific data on the hazards of chrysotile; worry that listing would negatively change the perception of chrysotile, or that it would lead to a "stealth ban"; and worry there might be hidden health dangers in its substitutes. He said those wanting listing perceive a problem in information flows about risks and safe use of chrysotile.

IN THE CORRIDORS

COP5 participants spent most of Thursday working in contact groups in the basement of the CICG, attempting to achieve progress on key issues. On budget and technical assistance, a few delegates were optimistic that light at the end of a long, dark tunnel was visible. Others were more cautious, declaring the group's continued work an "act of faith," as it is based on a hypothetical budget that assumes Italy will make its host country contribution. A facsimile from the Italian Government circulated among delegates described "stringent measures on the administrative budget of all the Italian public administrators" causing a "linear cut over all expenses...among these...the host country contribution," and delegates' interpretations of the situation differed widely.

Frustrations were addressed openly in the afternoon session of plenary, during which Canada was asked to explain its objection to listing chrysotile asbestos. Canada's tangential statement that it has "actively promoted safe and controlled use of the substance domestically and internationally" as justification for not agreeing to prior informed consent left many dumbstruck.

ENB SUMMARY AND ANALYSIS: The *Earth Negotiations Bulletin* summary and analysis of PIC COP5 will be available on Monday, 27 June 2011 online at: <http://www.iisd.ca/chemical/pic/cop5/>

SUMMARY OF THE FIFTH MEETING OF THE ROTTERDAM CONVENTION ON PRIOR INFORMED CONSENT: 20-24 JUNE 2011

The fifth meeting of the Conference of the Parties (COP5) to the Rotterdam Convention on the Prior Informed Consent Procedure (PIC) for Certain Hazardous Chemicals and Pesticides in International Trade convened from 20-24 June 2011, in Geneva, Switzerland. Over 600 participants, representing more than 100 governments, UN agencies, and intergovernmental and non-governmental organizations (NGOs), attended the meeting.

COP5 adopted 13 decisions, including on the addition of aldicarb, alachlor and endosulfan to Annex III of the Convention (chemicals subject to the PIC procedure). The meeting also adopted decisions on: the budget; technical assistance; synergies; information exchange; trade; and the work of the Chemical Review Committee. Delegates addressed those issues that eluded consensus during the last meeting of the COP, but still could not agree on mechanisms and procedures for non-compliance and the inclusion of chrysotile asbestos in Annex III of the Convention.

While the inclusion of three additional chemicals in Annex III provided evidence of progress in the work of the COP, several delegates expressed disappointment at the continued failure to agree to list chrysotile asbestos, as well as to establish procedures for non-compliance.

A BRIEF HISTORY OF THE ROTTERDAM CONVENTION

Growth in internationally-traded chemicals during the 1960s and 1970s prompted efforts by the international community to safeguard people and the environment from the harmful effects of such chemicals. These efforts resulted in the adoption of the International Code of Conduct for the Distribution and Use of Pesticides by the UN Food and Agriculture Organization (FAO) and the London Guidelines for the Exchange of Information on Chemicals in International Trade by the United Nations Environment Programme (UNEP). Both the Code of Conduct and the London Guidelines include procedures aimed at making information about hazardous chemicals readily available, thereby

permitting countries to assess the risks associated with their use. In 1989, both instruments were amended to include a voluntary PIC procedure, managed jointly by FAO and UNEP, to help countries make informed decisions on the import of banned or severely restricted chemicals.

At the UN Conference on Environment and Development held in Rio de Janeiro in 1992, delegates adopted Agenda 21, which called for an international strategy for action on chemical safety (Chapter 19), and urged states to achieve full participation in, and implementation of, the PIC procedure by 2000, with the possible adoption of a legally-binding PIC Convention.

In November 1994, the 107th meeting of the FAO Council agreed that the FAO Secretariat should proceed with the preparation of a draft PIC Convention as part of the joint FAO/UNEP programme. In May 1995, the 18th session of the UNEP Governing Council adopted Decision 18/12, authorizing the Executive Director to convene, with FAO, an intergovernmental negotiating committee (INC) with a mandate to prepare an international legally-binding instrument for the application of the

IN THIS ISSUE

A Brief History of the Rotterdam Convention	1
COP5 Report	2
Rules of Procedure	3
Matters Related to the Implementation of the Convention	3
Enhancing Cooperation and Coordination among the Basel, Rotterdam and Stockholm Conventions	9
Programme of Work and Adoption of the Budget	9
Other Matters	11
Closing Plenary	11
A Brief Analysis of COP5	11
Upcoming Meetings	13
Glossary	14

This issue of the *Earth Negotiations Bulletin* © <enb@iisd.org> is written and edited by Melanie Ashton, Tallash Kantai, Keith Ripley, Jessica Templeton, and Liz Willetts. The Digital Editor is Angeles Estrada. The Editor is Pamela S. Chasek, Ph.D. <pam@iisd.org>. The Director of IISD Reporting Services is Langston James "Kimo" Goree VI <kimo@iisd.org>. The Sustaining Donors of the *Bulletin* are the Government of the United States of America (through the Department of State Bureau of Oceans and International Environmental and Scientific Affairs), the Government of Canada (through CIDA), the Danish Ministry of Foreign Affairs, the German Federal Ministry for Economic Cooperation and Development (BMZ), the German Federal Ministry for the Environment, Nature Conservation and Nuclear Safety (BMU), the European Commission (DG-ENV), and the Italian Ministry for the Environment, Land and Sea. General Support for the *Bulletin* during 2011 is provided by the Norwegian Ministry of Foreign Affairs, the Government of Australia, the Ministry of Environment of Sweden, the New Zealand Ministry of Foreign Affairs and Trade, SWAN International, Swiss Federal Office for the Environment (FOEN), the Finnish Ministry for Foreign Affairs, the Japanese Ministry of Environment (through the Institute for Global Environmental Strategies - IGES), the Japanese Ministry of Economy, Trade and Industry (through the Global Industrial and Social Progress Research Institute - GISPRI) and the United Nations Environment Programme (UNEP). Funding for translation of the *Bulletin* into French has been provided by the Government of France, the Belgium Walloon Region, the Province of Québec, and the International Organization of the Francophone (OIF and IEPF). Funding for translation of the *Bulletin* into Spanish has been provided by the Spanish Ministry of the Environment and Rural and Marine Affairs. The opinions expressed in the *Bulletin* are those of the authors and do not necessarily reflect the views of IISD or other donors. Excerpts from the *Bulletin* may be used in non-commercial publications with appropriate academic citation. For information on the *Bulletin*, including requests to provide reporting services, contact the Director of IISD Reporting Services at <kimo@iisd.org>, +1-646-536-7556 or 300 East 56th St., 11D, New York, New York 10022, United States of America. 代表団の友

PIC procedure. The INC held five sessions between March 1996 and March 1998, during which a draft of the PIC Convention was produced, revised, and ultimately agreed upon.

CONFERENCE OF PLENIPOTENTIARIES: The Conference of Plenipotentiaries of the PIC Convention was held from 10-11 September 1998, in Rotterdam, the Netherlands. Ministers and senior officials from approximately 100 countries adopted the Rotterdam Convention, the Final Act of the Conference, and a Resolution on Interim Arrangements.

In line with the new procedures contained in the Convention, the Conference adopted numerous interim arrangements for the continued implementation of the voluntary PIC procedure and invited UNEP and FAO to convene further INCs during the period prior to the Convention's entry into force and to oversee the operation of the interim PIC procedure.

INC 6-11: In the period prior to the Convention's entry into force, the INC met six times. The meetings agreed to draft decisions on the definition and provisional adoption of PIC regions, the establishment of an Interim Chemical Review Committee (ICRC), and the adoption of draft decision guidance documents (DGDs) for chemicals already identified for inclusion in the PIC procedure. They also prepared draft decisions for the first Conference of the Parties, including on financial arrangements and dispute settlement procedures. Chemicals added to the interim PIC procedure during these sessions include ethylene dichloride and ethylene oxide, monocrotophos, four forms of asbestos, dinithro-ortho-cresol (DNOC), and dustable powder formulations of benomyl, carbofuran, thiram, tetraethyl lead, tetramethyl lead, and parathion. The inclusion of a fifth form of asbestos, chrysotile, has been discussed since INC-10 and, to date, not agreed.

COP1: The first COP to the Rotterdam Convention, held in Geneva from 20-24 September 2004, adopted all the decisions required to make the legally-binding PIC procedure operational. Delegates addressed procedural issues and other decisions associated with the entry into force of the Convention, such as the: composition of the PIC regions; inclusion of chemicals in Annex III recommended during the interim period; adoption of financial rules and provisions for the COP, the subsidiary bodies, and the Secretariat; establishment of the Chemical Review Committee (CRC); cooperation with the World Trade Organization (WTO); settlement of disputes; and the location of the Secretariat.

COP2: The second COP to the Rotterdam Convention met from 27-30 September 2005 in Rome, Italy. Delegates discussed and adopted decisions on: the programme of work and the budget for 2006; operational procedures of the CRC; the finalization of the arrangements between UNEP and FAO for the provision of the Secretariat to the Rotterdam Convention; pilot projects on the delivery of regional technical assistance; and cooperation and synergies among the Basel, Rotterdam and Stockholm conventions. Delegates agreed to forward a bracketed text on a compliance mechanism to COP3 and to task the Secretariat with a study on financial mechanisms.

COP3: The third COP to the Rotterdam Convention met from 9-13 October 2006 in Geneva, Switzerland. COP3 considered several reports on activities within the Convention's mandate

and adopted 16 decisions on, *inter alia*: the programme of work; implementation of the Convention; financial mechanisms; and cooperation and coordination among the Basel, Rotterdam and Stockholm conventions. Delegates did not reach agreement on the mechanisms and procedures for non-compliance and deferred the decision on including chrysotile asbestos in Annex III (Chemicals subject to the PIC procedure) to COP4.

COP4: The fourth COP to the Rotterdam Convention convened from 27-31 October 2008, in Rome, Italy. COP4 adopted 13 decisions, including the addition of tributyltin compounds to Annex III of the Convention. The meeting also adopted: a programme of work and budget for the triennium 2009-11; a decision on implementation; and the recommendations of the *Ad Hoc Joint Working Group* on Enhancing Cooperation and Coordination among the Basel, Rotterdam and Stockholm Conventions (AHJWG). However, it could not agree on the inclusion of endosulfan or chrysotile asbestos in Annex III, or on mechanisms and procedures for non-compliance. Delegates agreed to revisit these issues at COP5.

EX-COPS: The simultaneous extraordinary Conferences of the Parties to the Basel, Rotterdam and Stockholm Conventions were held from 22-24 February 2010 in Bali, Indonesia. Delegates adopted an omnibus synergies decision on joint services, joint activities, synchronization of the budget cycles, joint audits, joint managerial functions, and review arrangements.

COP5 REPORT

The President of the fifth Conference of the Parties (COP5) Noluzuko (Zukie) Gwayi (South Africa) opened the meeting, and expressed optimism that participants would use COP5 to improve the effectiveness of the Rotterdam Convention. She noted that support for the attendance of all parties was not available due to the Convention's extreme financial constraints.

Jim Willis, Joint Executive Secretary of the Basel and Stockholm conventions, and the UNEP-part of the Rotterdam Convention, highlighted the successes of the Rotterdam Convention, including listing 40 chemicals and establishing the Chemical Review Committee (CRC) as a strong, science-based subsidiary body. Willis noted that current challenges include achieving progress on compliance, deciding how to deal with chemicals recommended by CRC but not listed in the Convention, and strengthening technical assistance. He also described the financial crisis facing the Secretariat due to currency fluctuations and arrears in the Italian contribution.

Peter Kenmore, Co-Executive Secretary of the Rotterdam Convention, noted FAO's US\$1 million contribution towards protecting human health and the environment through the sound management of chemicals, focusing specifically on pesticides management. He informed delegates of FAO's initiatives to strengthen communities' capacities to use and manage pesticides and protect human health in developing countries.

Bakary Kante, on behalf of UNEP Executive Director Achim Steiner, reminded delegates that "decisions taken or not taken" will have a long lasting impact on human health and the environment. He emphasized that "status quo is no longer

acceptable” and called for progress in discussions on the listing of new chemicals in Annex III, non-compliance, and technical assistance.

The European Union (EU) stressed the Convention must not shy away from adding chemicals to Annex III. Costa Rica, for the Latin American and Caribbean Group (GRULAC), underscored the need for financial and technical support for implementation. Zambia, for the African Group, called for allowing voting when consensus cannot be reached and asked the Secretariat to present an evaluation of the Convention’s effectiveness to COP6. Switzerland said improving the Convention’s effectiveness must be examined if all four proposed chemicals are not listed at COP5. Italy discussed efforts to address arrears and announced it would make payment “without further delay.” South Africa called for expedited discussion on establishing mechanisms to list any CRC-recommended chemicals on which the COP is unable to reach consensus, including a possible new, voluntary annex to the Convention. India and China emphasized the importance of consensus-based decision-making.

President Gwayi introduced the provisional agenda (UNEP/FAO/RC/COP.5/1/Rev.1), and it was adopted without amendment.

In addition to President Gwayi, officers for the meeting elected at COP4 were: Kerstin Stendahl (Finland); Rocio Eden Wynter (Mexico); Hamood bin Darwish al-Hasani (Oman); and Magdalena Balicka (Poland).

During the week, delegates addressed all agenda items in plenary, with additional meetings of contact groups on non-compliance, candidate chemicals, and budget and technical assistance, and an informal session on information exchange on chrysotile asbestos. The following report summarizes the discussions on each agenda item.

RULES OF PROCEDURE

The Secretariat introduced the issue (UNEP/FAO/RC/COP.5/3) on Monday and proposed deleting brackets around a clause stating that, when attempts at consensus are exhausted, a two-thirds majority vote can be used to reach a decision. A number of developing countries opposed this, and delegates agreed to revisit this issue at COP6.

MATTERS RELATED TO THE IMPLEMENTATION OF THE CONVENTION

STATUS OF IMPLEMENTATION: COP5 focused on documents on: current chemical regulatory processes and their relationship to the definitions of banned or severely restricted chemicals in Article 2 of the Convention (UNEP/FAO/RC/COP.5/4); status of implementation of the Convention (UNEP/FAO/RC/COP.5/5); and possible approaches for dealing with chemicals recommended for listing in Annex III by the CRC but on which the COP is unable to reach consensus (UNEP/FAO/RC/COP.5/6). In a separate contact group on candidate chemicals, co-chaired by Karel Blaha (Czech Republic) and Hala Al-Easa (Qatar), delegates considered potential alternative approaches to listing in the case of no agreement on CRC-recommended substances.

In plenary, parties presented suggestions regarding improving implementation, including requesting: parties to submit notifications in a timely manner; updates on import/export responses from designated national authorities; clearer designation of national focal points; increased technical assistance on creating notifications; more information on hazardous chemicals; training for people working in chemicals sectors; and guidance on the application of definitions, particularly “severe restrictions.”

In plenary on Tuesday, a number of parties also expressed their concern over the ongoing contention over listing chrysotile asbestos, despite the CRC’s recommendation to do so, and called for discussion on alternatives to listing, including drafting a new annex to address the issue. A number of parties were concerned that failure to list chrysotile asbestos undermined the Convention itself, while others, including Colombia, Cuba, and Venezuela, suggested a new annex might violate the spirit of the Convention, and the Chrysotile Institute stated an annex would weaken the Convention. Switzerland supported a new annex. The EU announced it would circulate a conference room paper (CRP) proposing a COP decision allowing for temporary and voluntary application of the PIC procedure on a specific chemical until the next COP. Jim Willis emphasized that in the absence of a decision to list a substance in Annex III, CRC-recommended substances must be considered at every COP. A number of parties reiterated their support for consensus.

Delegates discussed an alternative listing approach in the candidate chemicals contact group on Tuesday, Wednesday and Thursday, but no agreement was reached. On Tuesday, Switzerland proposed that the functionality of the Convention be evaluated and improved if listing chrysotile was not agreed. On Wednesday, Co-Chair Blaha stated that no parties favored adopting a new annex, and opened discussion on the EU’s proposal that elicited concern from some delegates due to the potential precedent it could set for listing of future candidate chemicals. On Thursday, Masa Nagai, UNEP Legal Affairs Adviser, stated the EU proposal was a completely voluntary procedure for both importing and exporting parties, and would have no legal consequences for any party. Several developing country delegations expressed additional concerns that the proposal’s concept of new information exchange is a duplicative obligation and that the decision may create *de facto* legal obligations. Some parties suggested providing two draft decisions to plenary: one carrying forward the issue of listing chrysotile asbestos to COP6; and another requesting the Secretariat to prepare a paper for COP6 on options for improving the effectiveness of the Convention. As several parties opposed the proposal, the proposal was not carried forward.

In plenary on Friday, the COP adopted a decision on increasing the number of notifications of final regulatory actions submitted under Article 5 of the Rotterdam Convention.

Final Decision: In the decision (UNEP/FAO/RC/COP.5/CRP.3), the COP, *inter alia*:

- invites parties to notify the Secretariat of final regulatory actions;

- requests the Secretariat to propose ways and means of improving levels of notifications of final regulatory actions and to submit those to COP6;
- notes the need for information on exports as described Article 11(2) and on submitted export notification under Article 12 of the Convention, and requests the Secretariat to consider ways of meeting these needs and report to COP6;
- requests the Secretariat to prepare guidelines to assist parties in preparing notifications of final regulatory actions with particular regard to the term “severely restricted chemicals”; and
- requests the Secretariat to carry out work on industrial chemicals within available resources.

CHEMICAL REVIEW COMMITTEE: On Tuesday, the Secretariat introduced the following issues: appointments to the CRC (UNEP/FAO/RC/COP.5/7/Rev.1), nomination of governments to designate experts (UNEP/FAO/RC/COP.5/8), and reports of the CRC (UNEP/FAO/RC/COP.5/9, and Add.1-2, Rev.1, and Add.3). CRC Chair Marit Randall (Norway) presented the reports of CRC5, CRC6 and CRC7, and parties provided views on improving the CRC’s functions, including improving the number of notifications meeting the criteria in the future, using regional studies in notifications, and supporting the role of observers in the work of the CRC. On UNEP’s legal interpretation of “intentional misuse,” Canada underscored that listing cannot be justified on this basis alone. CropLife International expressed concern that the CRC’s application of the criteria on listing banned, severely restricted, or severely hazardous chemicals in Annex II and on Annex IV lacked rigor. Discussions continued on Wednesday and Thursday.

The Secretariat announced the countries chosen to nominate new experts: the Democratic Republic of Congo (DRC), the Gambia, Mali, Zambia, India, Kuwait, Republic of Korea, Saudi Arabia, Bulgaria, Austria, Germany, Switzerland, Brazil and Mexico.

Decisions were adopted in plenary on Friday without amendment.

Final Decisions: In its decision on nominated governments (UNEP/FAO/RC/COP.5/CRP.7), the COP: decides, pending formal confirmation of experts at COP6, that four countries each from the African states and Asian and Pacific states, one country from the Central and Eastern European states, two countries from Latin American and Caribbean states, and three countries from Western European and other states will designate an expert to serve on the CRC for a period of four years beginning on 1 October 2011; and requests those parties to provide names and qualifications of experts by 10 August 2011.

In its decision on confirmation of appointments (UNEP/FAO/RC/COP.5/CRP.8), the COP decides to appoint 17 experts to serve as members of the Committee to serve for a period of four years.

CONSIDERATION OF CHEMICALS FOR INCLUSION IN ANNEX III TO THE CONVENTION: Alachlor: In plenary on Tuesday the COP considered the document on the inclusion of alachlor in Annex III, the list of chemicals subject to the PIC procedure (UNEP/FAO/RC/COP.5/14). The COP agreed to the listing without debate.

Final Decision: In its final decision (UNEP/FAO/RC/COP.5/14), COP5 amends Annex III of the Convention to include alachlor and have the amendment enter into force for all parties as of 24 October 2011.

Aldicarb: In plenary on Tuesday, the Secretariat introduced the document (UNEP/FAO/RC/COP.5/15) on the inclusion of aldicarb in Annex III and discussed the review of the pesticide. The COP agreed to list aldicarb.

Final Decision: In the final decision (UNEP/FAO/RC/COP.5/15), COP5 amends Annex III of the Convention to include aldicarb and have the amendment enter into force for all parties as of 24 October 2011.

Endosulfan: COP5 addressed the proposed inclusion of endosulfan in Annex III on Tuesday and Friday. In plenary on Tuesday, the secretariat introduced the two documents (UNEP/FAO/RC/COP.5/12-13) on the CRC’s review and recommendations regarding the inclusion of endosulfan in Annex III at its second and sixth sessions, respectively. While no party indicated opposition to listing endosulfan, Cuba called for references to financial and technical assistance in the decision. Masa Nagai, UNEP Legal Adviser, clarified that decisions based on CRC recommendations are technical and do not contain such provisions. The EU, supported by Norway, recalled that similar concerns were resolved under the Stockholm Convention in technical assistance discussions, and suggested proceeding to listing. Mauritania also called for an immediate decision on Annex III listing. President Gwayi noted that delegations agreed that endosulfan should be listed, but said she would not call for formal adoption of the decision until later in the week in order to allow time for the technical assistance issue to be discussed.

In plenary on Friday, the Secretariat introduced the draft decision, which was adopted without amendment.

Final Decision: In the final decision (UNEP/FAO/RC/COP.5/CRP.4), COP5 amends Annex III of the Convention to include endosulfan and have the amendment enter into force for all parties as of 24 October 2011.

Chrysotile asbestos: COP5 addressed the issue of listing chrysotile asbestos in plenary on Tuesday, Thursday and Friday, in the contact group on candidate chemicals on Wednesday and Thursday, and in an informal session held on Thursday.

On Tuesday the Secretariat introduced the document (UNEP/FAO/RC/COP.5/11) on the inclusion of chrysotile asbestos in Annex III. During Tuesday’s plenary discussion, India, Kazakhstan, Kyrgyzstan, the Russian Federation, the Ukraine, Viet Nam and Zimbabwe opposed listing.

A contact group on candidate chemicals, co-chaired by Karel Blaha (Czech Republic) and Hala Al-Easa (Qatar), examined specific concerns of parties opposing listing, with a view to addressing those concerns and removing obstacles to consensus on listing, or failing that, considering ways to improve the effectiveness of the Convention.

On Wednesday, India announced, that in the “spirit of consensus” they could support listing. Co-Chair Blaha asked India to chair an informal group to continue discussions with opponents to listing about their specific concerns, with a view to possibly identifying ways to achieve consensus on listing.

The remaining contact group participants worked on two texts. The first was an EU proposal for a temporary and voluntary application of PIC to a specific chemical, such as chrysotile asbestos, until a listing decision is taken at the COP6. The second, suggested by Switzerland, for a draft decision on follow-up action by the CRC if chrysotile asbestos were listed in Annex III, would request: parties and all other stakeholders to promote information exchange on measures to minimize risks and on alternative substances; the Secretariat to collect and distribute the information; and the CRC to report to a future COP on the information available. When the informal group facilitated by India reported that no consensus had been reached about listing chrysotile, Co-Chair Blaha presented the draft of the proposal on CRC follow-up, listing opponents participating in the contact group. While some listing opponents reacted favorably to the proposal, one exporting country that had not previously expressed its opinion indicated that in no case could it join a consensus for listing, even with such an accompanying decision. Co-Chair Blaha said he would take the draft decision on CRC follow-up to a listing of chrysotile asbestos to the plenary as a contact group proposal.

In plenary discussion on Thursday, the African Group requested the Co-Chairs to clarify which parties are opposed to listing the substance. Contact Group Co-Chair Blaha confirmed that the countries opposed to listing chrysotile were the Ukraine, Kazakhstan, Kyrgyzstan, Viet Nam and Canada. He noted that the Ukraine and Kazakhstan cited lack of scientific data and that Canada had not explained the reasons for its position. He said Kyrgyzstan and Viet Nam did not participate in the contact group.

Kyrgyzstan, with the Russian Federation, stated that new notifications were required for chrysotile asbestos, and requested a legal opinion. The Ukraine underscored the need to consider additional information on chrysotile at the CRC and requested legal clarification on the matter.

President Gwayi confirmed that the decision guidance document (DGD) for chrysotile asbestos was not in question.

Emphasizing the high costs for developing countries attending COPs, the African Group said Canada had not allowed the group to understand their issues and called on the country to put forward its reasons for opposition. Kenya pleaded with opposing countries to give developing countries the opportunity to safeguard their populations' health and environment.

The EU expressed severe disappointment at the outcome, underscored the need to move forward, and thanked India for its courage and solidarity.

Canada stressed that it was present during the contact group discussions and asserted its right to state its position at the time it thought best. He said "for over 30 years Canada has actively promoted the safe and controlled use of chrysotile" and requested his country's position be respected. Expressing preparedness to work on elaborating a voluntary PIC mechanism, he cautioned against concluding that the Convention is not functioning properly.

In response, the EU questioned why Canada does not view the PIC procedure as contributing to the safe management of chemicals. She also questioned Canada's wish to work within the rules of the COP, which require parties to avoid bringing forward matters unrelated to the Convention.

Australia expressed disappointment at the outcome, but said it hoped that some progress could be made in understanding the difficulties faced by opposing countries. Supported by Mexico and the EU, he suggested convening an informal apolitical discussion to connect those requesting additional information with those possessing information. This session convened after plenary adjourned.

In plenary on Friday, President Gwayi revisited the issue and said the listing of chrysotile asbestos in Annex III would be considered again at COP6.

Australia, supported by the African Group, introduced a declaration by the EU and 66 countries stating their deep concern that chrysotile had not been listed at COP5, resolving to see it listed in Annex III and the effectiveness of the Convention in listing chemicals improved in the future, and declaring their intent to "pursue further action under the Convention to ensure that the export of hazardous chemicals occurs only with the prior informed consent of the importing party and that the party is provided with accurate information on the characteristics, potential dangers, safe handling and use of those chemicals." Delegates agreed to note this declaration in the report of the meeting.

The African Group concluded that the inability of three meetings of the COP to agree on including chrysotile asbestos in Annex III left them no choice but to contemplate establishing trade restrictions on the substance at the regional level.

Norway, noting that the draft companion decision relating to information exchange on chrysotile, proposed by Switzerland, contained many elements supported by most countries, asked that the text be carried forward to COP6. Canada, with Ukraine, proposed deleting the first paragraph referring to listing chrysotile in Annex III. A compromise was reached with delegates agreeing to annex the draft decision to the meeting report, on the understanding that the entire text remains in brackets.

NON-COMPLIANCE: This issue (UNEP/FAO/RC/COP.5/16) was introduced on Wednesday, and discussed in a contact group, co-chaired by Abiola Olanipekun (Nigeria) and Mona Westergaard (Denmark).

In the opening plenary, parties re-opened the debate on non-compliance with the African Group, the EU, Japan, Colombia and Switzerland supporting adoption of the draft text contained in the annex, while Cuba, Iran and Bolivia opposed, stating that the issue was conditional on establishing a technical and financial assistance mechanism that works jointly between the chemicals and wastes conventions. The African Group supported a majority vote option if consensus cannot be reached. President Gwayi requested that the contact group clean the text and, if agreement is not reached, make recommendations for work at COP6.

In the contact group, noting the long-standing opposing views on this issue, the Co-Chairs asked to hear parties' general concerns. In initial discussions, parties highlighted measures to address compliance issues; the breadth and sources of information to use; the nature of the mechanism; and the trigger mechanism.

On Thursday, Co-Chair Westergaard opened negotiation of bracketed text, summarizing that parties had agreed the mechanism be: facilitative, transparent, able to identify cases of non-compliance, and able to help non-compliant parties.

Negotiations stalled, however, on a number of sensitive areas, which were not resolved over the course of the week. On matters of consensus, some countries indicated they would not be able to move on the text, and could not entertain the option of using majority voting in any circumstance, inferring that the group would not achieve agreement on a full clean text despite any progress made on language.

Another roadblock to agreement was the option to use the Secretariat in the trigger mechanism. Many parties noted this option exists under the Basel Convention and called the Secretariat an important and "impartial" source. Others recalled that the Secretariat's role under Basel differs in that it is limited to reporting, and did not support the Secretariat taking on the ability to "judge" or "police" this process.

On measures to address compliance issues, parties debated enabling the compliance committee to undertake an inclusive or exclusive list of measures. Parties agreed to an inclusive list, with some expressing reservations.

On the handling of information, parties debated language to refer to the types of information sources the committee can receive, and whether and how to limit the mandate of the committee in obtaining that information.

Progress was made, however, following review of new text proposed by Brazil that elaborated on: the non-punitive nature of the mechanism; assistance for access and capacity building, and development of action plans; and measures to address compliance, including the enlargement of the Special Trust Fund to include funds earmarked for implementation under the compliance committee. Several countries supported the proposed text, saying it strengthened the mechanism, made it more facilitative, effectively drew on other conventions, and addressed implementation. Some shared concerns that: it may negatively incentivize parties to obtain resources before complying; the uses for the funds were unclear; and as a voluntary fund, it might be an "empty promise."

On Friday morning, the Co-Chairs presented their text to the contact group as a take-it-or-leave-it package, indicating it reflected the progress made through Thursday evening and compromised on all outstanding issues. They underscored that "adopting the text would be a very big success" for the COP. Co-Chair Westergaard explained that the compromise text incorporated:

- Brazil's chapeau, revisions to the quantity and regional representation of the committee;
- an increase in the majority for decision-making to accommodate those preferring consensus;
- replacing the Secretariat trigger by a committee trigger;

- Brazil's text for Articles 18 and 19;
- a balance between an inclusive and non-inclusive list of information sources; and
- an insertion in the Convention's budget reflecting the establishment of an earmarked fund for the committee.

Parties were unable to agree on the text, with some calling it a "good package" and several requesting more time, and/or, clarity, and calling for the draft to be forwarded to COP6. However, those parties who accepted the text indicated they would not accept forwarding the text if no agreement was reached. The Co-Chairs noted the high amount of support in the room for the text and forwarded it to the plenary for adoption.

During the closing plenary, Cuba, Bolivia and Iran opposed adoption of the text, citing need for consensus and for a link to an established, technical and financial mechanism working jointly among the conventions. India also opposed, citing the need for consensus. China asked to take the decision at COP6, maintaining several reservations about the text, and citing an inability to confer with his capital in due time.

The African Group, supported by Colombia and the EU, supported adopting the text. Brazil said the take-it-or-leave-it approach was not constructive. Several parties expressed their frustration with the process. Parties then debated the best way forward, expressing diverging views on procedure and how to reflect the Co-Chairs' text, the contact group-negotiated text, and what to use as the basis for COP6's work.

An agreement was finally reached to accept Brazil's suggestion to use the contact group's last draft text (UNEP/FAO/RC/COP.5/16, 23 June 2011, 7:00 pm), as the basis for work at COP6, to be annexed to the COP5 meeting report, "bearing in mind" the Co-Chairs' text (UNEP/FAO/RC/COP.5/CRP.15/Rev.1 and UNEP/FAO/RC/COP.5/CRP.17) is contained in an appendix to the annex and can be used as a reference for discussions on non-compliance.

FINANCIAL RESOURCES: On Monday, the Secretariat introduced the documents (UNEP/FAO/RC/COP.5/17, UNEP/FAO/RC/COP.5/INF/7, and UNEP/FAO/RC/COP.5/INF/18).

Commenting on the UNEP Consultative Process on Financing Options for Chemicals and Wastes, Bakary Kante, UNEP, noted that a fifth meeting is required to streamline the four tracks for financing chemicals and waste, and said that the recommendations from this meeting would be discussed at the next UNEP Governing Council meeting.

In the ensuing discussion, the EU welcomed the actions taken by the Secretariat to continue working with the Global Environment Facility (GEF), FAO and UNITAR to ensure that the Convention provisions are taken into account in the development of technical assistance projects. The EU supported the GEF as the funding mechanism.

Japan welcomed the GEF's decision to broaden funding for chemicals management. Cuba said that without a COP5 decision establishing a sustainable and reliable funding mechanism, it could not support more listings in Annex III. Bolivia called for an independent mechanism modeled after the Montreal Protocol's Multilateral Fund. UNITAR stressed its support for Convention implementation, including new guidance material on resources mobilization for the sound management of chemicals.

President Gwayi asked the Secretariat to draft a decision, taking note of the Secretariat's activities to continue collaboration with relevant partners, as well as plenary interventions.

On Wednesday, President Gwayi introduced the draft decision and the delegates adopted it without amendment.

Final Decision: In the final decision on progress made in the implementation of decision RC-3/5 on possible options for lasting and sustainable financial mechanisms (UNEP/FAO/RC/COP.5/CRP.2), the COP:

- takes note of the actions taken by the Secretariat pursuant to decision RC-3/5 on possible options for lasting and sustainable financial mechanisms, and of the progress made in the implementation of UNEP Governing Council decision SS.XI/8 on the Consultative Process on Financing Options for Chemicals and Wastes;
- encourages the Secretariat to seek further synergies among the three conventions in the area of chemicals and waste management; and
- requests the Secretariat to continue its collaboration with partners, including the GEF and UNITAR in order to ensure that the provisions of the Rotterdam Convention are taken into account in technical assistance projects and activities.

TECHNICAL ASSISTANCE: This item was discussed in plenary on Monday, and in a contact group on budget and technical assistance for the rest of the week.

On Monday, the Secretariat introduced the documents (UNEP/FAO/RC/COP.5/18-19) and summarized a report on recent activities, saying the current work programme would focus on: joint Convention implementation; partnerships; capacity for industrial chemicals management; and support for submissions on severely hazardous pesticides.

In the discussion, the EU emphasized that the plan for industrial chemicals is not linked to this Convention and is managed by external stakeholders, and requested that a table listing costs be provided, as at COP4. Ecuador underscored the need for further work on hazardous industrial chemicals. Japan stressed the need for activities to be directly applicable to the Convention and non-duplicative.

The Republic of Korea underscored the importance of cooperating with other organizations, such as UNITAR, on technical assistance. The African Group proposed an evaluation of technical assistance activities, with Burkina Faso calling for the further expansion of technical assistance activities. Bolivia highlighted the need for long-term finance of technical assistance activities.

Senegal emphasized the need to share experience in data collection and transmission, to identify dangerous chemicals in developing countries, and to train health workers to deal with cases of toxicity. Niger suggested that technical assistance could be promoted through subregional centers, including universities and hospitals.

FAO described the activities of the Inter-Organization Programme for the Sound Management of Chemicals (IOMC) to support implementation of the Rotterdam Convention.

Expressing concern at the financial situation faced by the Convention, Panama stressed the need to take decisions on technical assistance matters at this meeting. Cuba suggested

increasing the activities contained in the 2012-2013 work plan and highlighted the need to clarify available resources to facilitate proposed activities. Switzerland highlighted the need to prioritize technical assistance activities and, supported by Australia, proposed discussing this issue in the budget contact group.

Delegates agreed to expand the mandate of the contact group on budget to address technical assistance. In plenary on Tuesday morning, President Gwayi informed delegates that Mohammed Khashashneh (Jordan) and Kerstin Stendahl (Finland) would co-chair the contact group on budget and technical assistance.

In the contact group, the Secretariat introduced the documents (UNEP/FAO/RC/COP.5/19 and UNEP/FAO/RC/COP.5/INF/17), as well as additional information including a summary of the costs of individual elements of the proposed work programme for the regional and national delivery of technical assistance for 2012-2013, presented under both the Executive Secretary's budget scenario and the 0% nominal growth scenario. Co-Chair Khashashneh informed delegates they would need to consider the Cuban proposal to include technical assistance for new chemicals in the budget.

A few parties noted that technical assistance is funded by voluntary funds and is therefore not secure.

One developed country regional group sought clarification on the need for technical assistance on the four new chemicals up for listing, suggesting that technical assistance in terms of workshops and training meetings could be undertaken by UNITAR or FAO.

Developing countries then prioritized specific technical assistance activities, including hands-on training, resource kits, electronic tools, and a help desk. A developed country noted that the clearinghouse mechanism already provides similar functions as those proposed for the help desk, and called for greater efficiency in the process.

Delegates also discussed elements related to eight technical assistance activities, including: awareness-raising and training; development of a resource kit to promote the Convention's ratification and implementation; development of elements of national action plans and other strategies for the Convention's implementation; enhancing information exchange between trade partners; support for submissions of proposals on severely hazardous pesticide formulations; strengthening capacity for industrial chemicals management; facilitating the preparation of notifications of final regulatory action; and building capacity to gain access to and use the Convention components of the joint clearinghouse mechanism.

On the prioritization of technical assistance activities, one developed country party proposed that the most highly prioritized activities be financed under the core budget to ensure that they are addressed. Others disagreed, with one regional group noting that it is not standard practice to make developing country parties pay for technical assistance activities to be performed in other developing countries.

Delegates agreed to prioritize four technical assistance activities, including: reviewing content and components of a resource kit; developing action-oriented tools to identify and

outline elements for national actions; strengthening national capacities related to severely hazardous pesticide formulations; and preparing notifications of final regulatory action.

The group then revised text on a proposed draft decision on issues including, *inter alia*, the inclusion of specific reference to newly listed chemicals, regional and national delivery of technical and opportunities for synergies, and contributions to the Voluntary Special Trust Fund to support technical assistance activities. One developing country party proposed text to request developing country parties to submit information on their technical assistance needs, and also to request that developed country parties provide information to the Secretariat on the technical assistance that they have available to developing country parties. Cuba agreed to the formulation of the paragraphs referencing technical assistance for newly-listed chemicals.

Reporting to plenary on Friday afternoon, Co-Chair Khashashneh reported that the group had agreed to forward a draft decision to plenary for adoption, noting that technical assistance for new chemicals had been considered as the overarching theme of the discussions. COP5 adopted the decision without amendment.

Final Decision: In the final decision on technical assistance (UNEP/FAO/RC/COP.5/CRP.16), the COP:

- requests the Secretariat to facilitate assistance to developing country parties and parties with economies in transition, in the implementation of the Convention, particularly with regard to activities included in the annexes to this decision, which are contained in the budget for the biennium 2012-2013, and specifically prioritizing activities related to the chemicals newly listed in Convention Annex III;
- requests the Secretariat to report to COP6 on the experience gained in the regional and national delivery of technical assistance and opportunities for joint activities with the secretariats of the three chemicals conventions;
- invites developing country parties and parties with economies in transition to provide information to the Secretariat on their technical assistance needs and the difficulties and views in this regard and also invites developed country parties to provide information to the Secretariat on the technical assistance that they have available to developing country parties and parties with economies in transition;
- further requests the Secretariat to prepare a synergized, prioritized and detailed work plan of activities for the regional and national technical assistance for the implementation of the Convention for consideration at COP6; and
- invites parties and others in a position to do so to contribute to the Convention's Voluntary Special Trust Fund in support of technical assistance activities, and to provide technical assistance to developing countries and countries with economies in transition to implement their obligations with regards to chemicals newly listed in Convention Annex III.

The decision contains annexes listing technical assistance activities of high priority and technical assistance activities of lower priority.

TRADE: This issue (UNEP/FAO/RC/COP.5/21) was introduced in plenary on Wednesday. The Secretariat noted the Rotterdam Convention's pending request for observer status at the WTO's Committee on Trade and Environment (CTE).

The African Group expressed concern at the slow pace at which the Convention is promoting the Globally Harmonized System in developing countries, and urged the COP to take a decision on increased cooperation between the Convention and UNITAR. The Secretariat confirmed that this matter is addressed in the decision on financial resources. Colombia proposed that the decision include an invitation to parties to promote domestic coordination to ensure that the Rotterdam Convention is granted observer status in the CTE.

Parties adopted a draft decision in plenary on Thursday.

Final Decision: In its decision (UNEP/FAO/RC/COP.5/CRP.10), the COP: requests the "Secretariat to communicate with the WTO with a view to achieve participation in the meetings of the Committee on Trade and Environment in Special Session of the Organization on a meeting-by-meeting basis," and to follow up on its application for observer status to the WTO's CTE and report on it to COP6; and invites parties to coordinate at the national level to promote supportiveness between trade and environmental policies and support the COP's request for observer status to the WTO.

INFORMATION EXCHANGE: On Tuesday, the Secretariat introduced its note on a strategic plan for establishing procedures for the operation of the Rotterdam Convention components of the joint clearinghouse mechanism serving the Basel, Stockholm and Rotterdam conventions (UNEP/FAO/RC/COP.5/20), a document on the information exchange requirement under the Convention, and other information relevant to the development of such a strategic plan (UNEP/FAO/RC/COP.5/INF/8). The EU emphasized the need for a well-functioning, practical, cost-efficient and regularly updated information exchange system. The COP asked the Secretariat to draft a decision on the proposed strategic plan.

In plenary on Friday the Secretariat presented the draft decision, which was adopted without amendment.

Final Decision: In its decision (UNEP/FAO/RC/COP.5/CRP.6), COP5:

- approves the draft strategic plan for establishing procedures for the operation of the Rotterdam Convention component of the joint clearinghouse mechanism;
- invites parties and other stakeholders to contribute to, and promote through voluntary means, the development of the Rotterdam component; and
- decides that all new phases in the development of the clearinghouse mechanism functions of the Rotterdam Convention should be implemented as part of the development of the joint clearinghouse mechanism, and that future activities under workplans and progress reports should be presented for consideration by the COP as joint activities of the three conventions.

ENHANCING COOPERATION AND COORDINATION AMONG THE BASEL, ROTTERDAM AND STOCKHOLM CONVENTIONS

On Tuesday in plenary, the Secretariat introduced the documents on enhancing synergies (UNEP/FAO/RC/COP.5/25, 25/Add.1-6, and UNEP/FAO/RC/COP.5/INF/11-12, INF/13/rev.1, INF/14-17) on, *inter alia*: joint activities, managerial functions, services and audits; synchronization of budget cycles; review mechanisms; submissions from parties, regional centers and other stakeholders on activities carried out to implement the synergies decisions; IOMC efforts to promote programmatic cooperation and coordination and on activities to implement the synergies decisions; information submitted by UNEP and FAO on progress on programmatic cooperation in the field to support the implementation of the three conventions in areas of common concern; clearinghouse mechanisms; the Safe Planet Campaign; and Stockholm Convention decision SC-5/27 on this issue.

The Secretariat highlighted Stockholm Convention decision SC-5/27, and outlined the minor editorial changes necessary for adoption of a substantively identical decision at COP5. Delegates requested that the Secretariat prepare a draft decision based on decision SC-5/27, containing appropriate modifications.

In plenary Wednesday, the African Group suggested adding text to the decision referencing technical assistance, but Chile, supported by Colombia, Cuba and Uruguay, emphasized that the decision needed to be substantively identical to Stockholm decision SC-5/27 to avoid sending the decision back to the Stockholm Convention COP for adoption. Zambia agreed to raise its concerns in the contact group on budget and technical assistance.

In plenary on Wednesday afternoon, President Gwayi introduced the draft decision and delegates adopted it without amendment.

Final Decision: In its decision (UNEP/FAO/RC/COP.5/CRP.9), COP5 welcomes Stockholm Convention decision SC-5/27 and adopts its own decision, subject to the adoption by the parties of the Basel Convention of a decision identical in substance. The decision, *inter alia*:

- welcomes the establishment of the Executive Secretary of the three conventions;
- authorizes the Executive Secretary to determine the staffing levels, numbers and structure of the secretariats in a flexible manner within a budget ceiling, and requests him to propose, in consultation with the Bureau, the organization of the secretariats by 31 December 2011, to be implemented by 31 December 2012;
- decides that the COPs of the three conventions should be held in a coordinated manner and requests the Executive Secretary to schedule such meetings in a way that facilitates such coordination;
- approves the proposed cross-cutting and joint activities for inclusion in the programmes of work of the three secretariats for 2012-13 and requests the secretariat to also pursue further cooperation and coordination in activities in the work programme that can be undertaken in a cost neutral manner; and

- decides, subject to the submission of the reports on the review, and taking into account comments made by parties on the matter, to convene in 2013, with and at the same venue and back-to-back with a COP of one of the conventions, ExCOPs, with the main focus on: draft decisions on the review arrangements; the proposal for the organization for the secretariats; draft proposals for joint activities for 2014-2015; budget related to joint activities and possible necessary amendments to the budget of the three conventions for the biennium 2014-2015; and the outcome of the UNEP Executive Director's Consultative Process on Financing for Chemicals and Wastes.

Included as annexes to the decision are: detailed terms of reference (ToR) for the preparation of the report by the secretariats of the three conventions; the ToR for the preparation of the report by the evaluation units of UNEP and FAO; modification of the organization of the joint services of the three conventions; and a joint workplan for the development of a clearinghouse mechanism for the three conventions for 2012-13. Another annex to the decision lists proposed cross-cutting and joint activities, including partnerships with other multilateral environmental agreements, supporting the work and coordination between the scientific bodies of the conventions, and joint outreach and public awareness.

PROGRAMME OF WORK AND ADOPTION OF THE BUDGET

Introducing the documents (UNEP/FAO/RC/COP.5/23-24) on Monday, the Secretariat expressed concern that outstanding arrears currently totaled US\$2 million and outlined the two budget scenarios. Switzerland noted its financial contributions and proposed that its contributions be split equally between the core budget in support of synergistic processes and funding for developing country participation in the Convention. Calling for the timely payment of host-country contributions, the African Group cautioned that any reallocation of funds should be carefully considered and should not negatively affect developing country participation. Japan strongly supported maintaining the operational budget at the 2009-2011 level in nominal terms, adding that a change in host country allocations would have a negative impact and increase the burden of others.

The EU, with Norway, suggested convening a contact group on the issue, underscored the need to increase efficiency, and suggested Jim Willis be given the flexibility to address staffing issues.

Sudan, with the DRC, called for financing for developing countries' participation. President Gwayi proposed establishing a contact group to develop a draft decision on the budget, taking into consideration the priorities of the draft programme of work and parties' interventions.

In the contact group, co-chaired by Kerstin Stendahl (Finland) and Mohammed Khashashneh (Jordan), the Secretariat introduced the documents (UNEP/FAO/RC/COP.5/22-24 and Add.1, and UNEP/FAO/RC/COP.5/INF/9), as well as additional explanatory documentation, including the scale of assessments and the status of the fund balance and operating reserve as of

December 2010. She noted that the proposed budget had been prepared to reflect both the Executive Secretary's scenario and a 0% nominal growth scenario.

Co-Chair Stendahl noted that, as the budget decision should mirror the one taken during the Stockholm Convention's last COP, the group will also discuss and amend the financial rules.

Switzerland proposed reflecting the reallocation of 50% of their contribution to the voluntary budget in the nominal growth scenario, with some developed country parties proposing instead that only 25% of the Swiss contribution go into the Voluntary Fund.

Delegates decided to work using the latter proposal, basing discussions on the 0% nominal growth scenario, with 25% of the Swiss contribution reallocated to the voluntary budget. The group discussed the legality of reallocating host country contributions to the voluntary trust fund, considering that assessed contributions will increase. The UNEP Legal Adviser explained that the Swiss proposal is legal, and agreed to provide this opinion in writing.

One developed party regional group noted that the proposed partial reallocation of the Swiss contribution implies a 20% increase in assessed contributions across the board, with individual party contributions increasing by over 160% in some cases. She highlighted that this estimate was based on the assumption that the Italian host contribution would be available. Many delegates stressed that any savings made were not to be earmarked for reallocation to other activities.

Delegates then did a first reading of the programme budget, and approved the amended financial rules, including a procedure for the allocation of funding from the Voluntary Special Trust Fund for facilitating developing country parties' participation at COP meetings, for adoption by plenary. The group also discussed the draft decision on financing the budget for the biennium 2012-2013.

In plenary on Friday morning, Co-Chair Stendahl reported that the group had finalized a proposed budget for the biennium 2012-2013, which would see assessed contributions increase by 0.9%.

On Friday afternoon, Co-Chair Stendahl presented the draft decision on the financial rules to the plenary for adoption, noting that the amendment of the rules was designed to streamline the rules of the three chemicals conventions. Delegates adopted the amended financial rules.

She also presented the draft decision on financing and budget for the biennium 2012-2013, as well as its accompanying tables, and noted that the discussions of the budget were influenced by developments in host country contributions. She highlighted that the draft decision contains text on dealing with host country contribution arrears, noting the group had proposed a repayment schedule for the defaulting country and if need be, a loan from UNEP to ensure the continued functioning of the Secretariat. She also mentioned that the Swiss proposal to reallocate part of its budget to the voluntary budget would be addressed at COP6.

She announced the budgetary allocation for 2012 as US\$3,740,867 and for 2013 as US\$3,803,087.

She informed delegates that the contact group had agreed to include a footnote after the indicative staffing table for the Secretariat for 2012-2013 to reflect that the staff costs are equivalent to 90% of the staff costs required to fill all posts.

China sought clarification on why discussion on the reallocation of the Swiss contribution had been postponed to COP6. Co-Chair Stendahl replied that due to severe financial constraints, it would not be possible to act on the proposal at this meeting, and discussion of reallocation would be deferred to COP6.

COP5 then adopted the budget without amendment.

Final Decisions: In the final decision on financing the budget for the biennium 2012-2013 (UNEP/FAO/RC/COP.5/CRP.14), the COP, *inter alia*:

- approves the programme of activities and operational budget for the biennium 2012-2013 of US\$3,740,867 for 2012 and US\$3,803,087 for 2013;
- welcomes the continued annual contribution by the host governments of €600,000 each by Italy and Switzerland to the Convention Secretariat to offset planned expenditures;
- notes the commitment the Italian Government made in a communiqué to the Executive Secretaries on 22 June 2011 that it would repay €452,461 of its host country arrears to the Secretariat no later than July 2011;
- requests the Italian Government to repay the balance of its host country arrears according to the residual balance of €525,583.89 by 30 April 2012;
- requests the Executive Director of UNEP, on an exceptional and as-needed basis, to authorize the loan of financial resources up to a maximum of US\$500,000 to enable the continued, uninterrupted operation of the Secretariat pending receipt of Italian host country arrears repayments;
- decides on an exceptional basis not to approve a staffing table, but instead to note the indicative staffing table for the Secretariat for the biennium 2012-2013 that has been used for costing purposes to set the overall budget;
- authorizes the Executive Secretaries to determine the staffing levels, numbers and structure of the Secretariat in a flexible manner remaining within the overall budget for this biennium; and
- notes Switzerland's suggestion to allocate 50% of its annual host country contribution to the General Trust Fund and 50% to the Special Trust Fund and decides to consider this suggestion further at COP6.

The decision's accompanying financial tables (UNEP/FAO/RC/COP.5/CRP.14/Add.1) contain the programme budget for 2012-2013; programme of work for 2012-2013 funded via the General Trust Fund; estimate for activities for 2012-2013 funded via the Voluntary Trust Fund; indicative scale of assessments; and indicative staffing table.

In the final decision on the financial rules (UNEP/FAO/RC/COP.5/CRP.11), the COP decides to amend the financial rules for the operation of the COP, its subsidiary bodies and the Secretariat. The rules contain sections on scope, financial period, budget, funds, contributions, accounts and audit, administrative support costs, and amendments. The procedure for the allocation

of funding from the voluntary Special Trust Fund for facilitating the participation of parties in meetings of the COP is contained in an annex.

OTHER MATTERS

On Friday in plenary the Secretariat introduced a note on new observers (UNEP/FAO/RC/COP.5/INF/10) and COP5 agreed to take note of this.

CLOSING PLENARY

On Friday morning delegates convened in plenary and took decisions on information exchange and increasing the number of notifications of final regulatory actions submitted under Article 5 of the Rotterdam Convention.

COP5 then elected the Bureau for COP6 including: Gladys Njeri Maina (Kenya); Mohammed Khashashneh (Jordan); Magdalena Balicka (Poland); Luis Vayas Valdivieso (Ecuador); and Christina Tølfsen (Norway). They agreed that Balicka will serve as COP6 President, and Valdivieso as Rapporteur.

Balicka then provided the report on credentials noting 104 delegations participated, 97 of which submitted correct credentials, and one did not submit from a proper authority. Six did not submit correct credentials or on time and therefore could participate only as observers.

The Secretariat announced that COP6 will be convened in 2013, tentatively from 1-5 July, in Rome, Italy. Switzerland noted the content of the synergies decision (UNEP/FAO/RC/COP.5/CRP.9), which decided to convene an extraordinary joint meeting of the COPs in 2013 and that would see one or more of the conventions' COPs convening back-to-back. Jim Willis confirmed this was correct, noting the tentative scheduling of COP6, and that a final decision would be taken by the joint bureau.

On Friday afternoon plenary reconvened and took decisions on budget, technical assistance and listing endosulfan in Annex III of the Convention.

On the listing of chrysotile asbestos, a lengthy debate ensued on the carrying forward of a companion decision on information exchange to COP6. Delegates eventually agreed to include this draft as an annex to the report of the meeting. Delegates then turned their attention to non-compliance. Cuba, Bolivia, and Iran opposed adoption of a decision on non-compliance, citing the needs for consensus and a need for a link to an established, technical and financial mechanism working jointly among the conventions. Delegates agreed to continue negotiations on this matter at COP6.

On Friday evening, delegates turned their attention to the report of COP5. The Secretariat introduced the two report documents (UNEP/FAO/RC/COP.5/L.1 and L.1/Add.1), which were subsequently adopted including minor comments and amendments from the floor.

In the closing plenary, Iran underscored the need for universal ratification of the Rotterdam Convention and encouraged other states to join. The African Group voiced disappointment at those parties continuing to find fault with the science related to chrysotile asbestos, and, with Switzerland, expressed hope that chrysotile would be listed at COP6. GRULAC highlighted the importance of the CRC and COP5's adoption of the synergies

decision. The EU expressed full confidence in Jim Willis and said he will continue to play a key role in achieving success in synergies. She also thanked President Gwayi for "her cheerfulness and marvelous outfits." Switzerland underscored that the CRC has come to a clear conclusion on chrysotile asbestos and the inability of the COP to adopt this has become a symbol of the Rotterdam Convention.

President Gwayi declared COP5 closed at 7:28 pm.

A BRIEF ANALYSIS OF COP5

COP5 represented the first meeting of the Rotterdam Convention since the implementation of the synergies process at the first extraordinary meeting of the Conferences of Parties to the Rotterdam, Stockholm and Basel Conventions, in February 2010. The effects of the synergies process were visible across the agenda of COP5, and while the process has already indicated improved efficiency in several areas, it has also given rise to unanticipated confusion about the unique mandate and responsibilities of the Rotterdam Convention.

In this light, COP5 faced two very tricky, longstanding issues: the CRC's recommendation to list chrysotile asbestos in Annex III, and the need to establish a compliance mechanism. The inability to make headway on these complex issues underscored the challenges the Rotterdam Convention faces in achieving its objectives. This analysis considers the issue of listing chrysotile, the associated technical work of the CRC, and the rationale for disagreement on a compliance mechanism, including links to finance and budget.

THE CHEMISTRY OF POLITICS

When confusion about the PIC procedure mixes with national politics, a positive result is unlikely. This was starkly illuminated by the debate over chrysotile asbestos, where the Ukraine, Kazakhstan, Kyrgyzstan, Viet Nam and Canada opposed the listing. The Ukraine and Kazakhstan questioned the hazards of chrysotile and said that in the absence of evidence of harm, the PIC procedure is unnecessary. Many delegates argued that their position reflects a fundamental misunderstanding of the Rotterdam Convention, and the basis for the recommendations of the CRC. When a party notifies the CRC of final regulatory action, it supplies information about its risk evaluation of that chemical, which the CRC reviews. The confusion expressed by many parties is whether the CRC makes recommendations based on the severity of the hazard. It does not. Evaluation of the risks posed by chemicals is an issue addressed by the POPs Review Committee under the Stockholm Convention, which decides to recommend whether or not to phase out a chemical. The CRC only makes judgment as to whether a chemical, according to the criteria in Annex II, should elicit prior informed consent.

Several delegates cited lack of capacity for participation, or more cynically, "convenient ignorance," for COP5 arguments questioning the severity of risk, and underscored the need to ensure that the work of the CRC is transparent and well understood by parties.

Unlike the Ukraine and Kazakhstan, Canada has explicitly acknowledged the validity of CRC's recommendation. While Canadian delegates to COP5 refused to elaborate on their

reasons for opposition, various Canadian news outlets cited the current government's desire to secure votes from the province of Quebec, home to Canada's chrysotile mine. This illustrates the extent to which domestic politics can influence global decision-making, and in some delegates' views, the way international fora can be used to "make a show back home" and score political points. Zambia, the vocal coordinator of the African Group, highlighted the irony of the situation, noting that Canada's behavior ignored the fact that the PIC procedure is designed to facilitate informed decision-making, and does not ban the use of chemicals. They and others complained that Canada was wasting the time of participants who were only proposing to put in place a mechanism that would provide their governments with the same information as the Canadian Government has, in order to protect their populations.

CHEMICAL REVIEW—SCIENCE SANS POLITICS

One way of reducing confusion over the Convention's mandate is by increasing the transparency and inclusiveness of the PIC decision-making process at all levels. This issue was highlighted by a range of observers to the CRC, including governments without seats on the committee and industry and environmental and public health NGOs, whose participation in the committee's work has been curtailed in the last two meetings.

The CRC's recommendations are fundamental to implementation of the Convention's objective to protect human health and the environment by facilitating information exchange on certain hazardous chemicals. Annex II of the Rotterdam Convention requires the CRC to, *inter alia*: confirm that final regulatory action has been taken as a consequence of risk evaluations, conducted by notifying parties that have raised concerns for human health or environmental safety; review the risk evaluations to ensure data have been collected and analyzed according to scientific methods; and consider whether final regulatory action provides a sufficiently broad basis to merit listing the chemical in Annex III of the Convention. Once the CRC confirms the fulfillment of the criteria outlined in Annex II, the CRC drafts a decision guidance document, as well as a recommendation to list the substance. The CRC has rejected over 15 chemicals in its seven meetings, several of them more than once, because they failed to meet the Annex II criteria.

According to many COP5 delegates, observers have traditionally played a crucial role in the deliberations of CRC by providing relevant scientific expertise derived from their hands-on experience with the chemicals under review, both in terms of production and use and impact on human health and the environment. By excluding observers, the CRC reduces the transparency of the process and undercuts the perceived legitimacy of its recommendations. According to one government observer, this "does not bode well for the transparency and openness of the Convention."

Furthermore, fostering the engagement of government observers builds the capacity of parties to understand and engage in COP-level decision making, the need for which was demonstrated by the arguments of the Ukraine, Kazakhstan and, to some extent, Kyrgyzstan and Viet Nam, during COP5. While limiting participation in the CRC's decision-making process

may enable the CRC to make recommendations more quickly, many said preventing parties without seats on the committee from raising technical concerns will only shift those concerns to the COP. Several delegates emphasized that engaging interested parties at all levels of decision-making will serve to build the capacity of countries to understand the criteria for decision-making, the process of evaluation, the rationale for recommendations, and the implications of listing decisions.

THE NON-COMPLIANCE TRAP

Confusion over the distinct mandates and obligations of the Conventions was also evident in discussions of non-compliance, with many delegates observing that agreement is being hamstrung by unwarranted association with the Stockholm Convention. A compliance mechanism is the only structural aspect of the Rotterdam Convention that has yet to be completed, and although its adoption would strengthen the effectiveness of the Convention, agreement has eluded the COP since 2004. It has been a perennially thorny issue for the other chemicals conventions, as well. The Stockholm Convention has yet to agree on a mechanism, and the Basel Convention negotiated for ten years before establishing its compliance mechanism. Furthermore, several delegates noted that Basel's "non-confrontational, flexible, and non-binding" compliance mechanism is weak, and should not serve as a model for Rotterdam.

With several participants expressing commitment to progress on non-compliance, delegates worked extensively during COP5 to negotiate a "clean" text for adoption. When this proved impossible by Thursday evening, a Co-Chairs' compromise text was offered as a "take it or leave it deal." Cuba and Iran, the key opponents, argued the time was not right, and said they could not accept the text. As is the case in the Stockholm Convention, the sticking point is the unresolved issue of means of implementation. Specifically Cuba, Iran and other parties refused to accept a compliance mechanism before establishment of a mechanism on financial and technical assistance that would enhance the ability of parties to comply. Some viewed this as a trivial issue in the case of Rotterdam, because prior informed consent, which allows parties to take a their own decisions on allowing imports, is far less costly to implement than phasing out persistent organic pollutants, as required under the Stockholm Convention.

Although parties did not adopt a decision on non-compliance, they agreed to continue negotiating based on the contact group's text as of Thursday evening. This text included Brazil's proposal to earmark implementation funds in the budget for a compliance committee as one way to address the need for financial and technical assistance.

SYNERGIES

As the non-compliance issue illustrates, Rotterdam's position as one of three global conventions involved in the broader chemicals and wastes synergies process has informed debate across a range of issues at COP5. This has proved to be a double-edged sword, with both favorable and unfavorable consequences.

The synergies process is designed to enhance cooperation and reduce overlap among the three conventions; to this end, a Joint Executive Secretary of the three conventions, Jim Willis, took office in April. In this newly-created role, Willis is tasked with ensuring continued growth and evolution of the conventions, as well as streamlining and reducing the administrative burden to ensure that more resources can be directed to on-the-ground implementation. Rotterdam is the smallest of the three conventions, with a total core budget of US\$7,543,954 compared to US\$11,853,339 of the Stockholm Convention, the largest. Several delegates emphasized that Rotterdam has the most to gain from the synergies process, and will benefit from the substantively and geographically comprehensive activities supported under the Stockholm and Basel Conventions.

Others were less optimistic, expressing frustration with some developing country parties that appeared to conflate the objectives of Rotterdam with those of its sister conventions. These participants cautioned that perhaps the synergies process had been “too successful,” and pointed to the need to ensure that parties understand the PIC procedure and the associated responsibilities of parties.

By the close of COP5, the impact of synergies on Rotterdam became clear, with huge slashes to the core budget as a result of the joint activities of the three conventions. Some thought the savings made could be channeled to fund key technical assistance activities, traditionally funded by the voluntary budget. Much as this line of thinking was appreciated, it bore no fruit. With the current financial crunch facing the Convention due to Italy’s host country contribution arrears, every Euro is required to keep the Secretariat afloat. But the key message coming out of the group was that merging technical assistance and budget discussions is imperative to identifying and prioritizing proposed technical assistance activities.

LOOKING TOWARDS COP6

While COP5 successfully listed three substances—aldicarb, alachlor and endosulfan—these chemicals were relatively uncontroversial. Delegates’ hopes for a successful COP were pinned to reaching agreement on a compliance mechanism or on the listing of chrysotile, and COP5 was unsuccessful on both counts. On chrysotile, most said listing would not be possible without a Canadian change of “heart” (interpreted by many as a euphemism for government). This suggests that even if transparency was improved and confusion over the Convention’s mandate was resolved through the continued clear communication in the synergies process, parties will still have to find ways to side step persistent political roadblocks.

UPCOMING MEETINGS

Fourth Central and Eastern European regional meeting on the Strategic Approach to Integrated Chemicals Management (SAICM) and UNITAR Workshop on Nanotechnology and Manufactured Nanomaterials: The SAICM Secretariat, in collaboration with UNITAR and the Government of Poland, are organizing these back-to-back meetings. On 27-28 June, the UNITAR workshop will, among other things, examine Switzerland’s proposal to add activities on nanotechnology

and manufactured nanomaterials to SAICM’s Global Plan of Action. The SAICM regional meeting, on 28-29 June, will prepare for the first meeting of the Open-Ended Working Group (OEWG), the body tasked with considering the implementation, development and enhancement of SAICM between sessions of the International Conferences on Chemicals Management (ICCM). **dates:** 27-29 June 2011 **location:** Lodz, Poland **contact:** SAICM Secretariat **phone:** +41-22-917-8532 **fax:** +41-22-797-3460 **email:** saicm@unep.org **www:** <http://www.saicm.org/index.php?content=meeting&mid=134&menuid=&def=1>

African Regional Synergies Workshop - Basel, Rotterdam and Stockholm Conventions: This regional awareness-raising workshop on enhancing cooperation and coordination for the implementation of these conventions aims to identify synergies and linkages at the national level as a way to foster the implementation of the conventions’ requirements. **dates:** 5-8 July 2011 **location:** Dakar, Senegal **contact:** Stockholm Convention Secretariat **phone:** +41-22-917-8729 **fax:** +41-22-917-8098 **email:** ssc@pops.int **www:** <http://chm.pops.int/>

Pacific Regional Workshop on Joint Implementation of the Waigani, Basel, Rotterdam and Stockholm Conventions: This regional awareness-raising workshop for country parties from the Pacific region will offer knowledge and experience sharing on the requirements of the four conventions. The emphasis will be placed on identifying synergies and linkages at the national and regional level as a way to foster the implementation of the Conventions’ requirements. In this regard, the workshop will address legal considerations for the development of an appropriate national legal framework. **dates:** 25-29 July 2011 **location:** Suva, Fiji **contact:** Stockholm Convention Secretariat **phone:** +41-22-917-8729 **fax:** +41-22-917-8098 **email:** ssc@pops.int **www:** <http://chm.pops.int/>

Third Asia-Pacific regional meeting on SAICM, UNITAR Workshop on Nanotechnology and Manufactured Nanomaterials, and Global Meeting on SAICM’s PFC Project: These back-to-back meetings are organized by the SAICM Secretariat, UNITAR and the Government of China. On 5 September a one-day meeting of the steering group of SAICM’s perfluorinated chemicals (PFCs) project will convene. On 6-7 September UNITAR will hold a two-day workshop on nanotechnology and manufactured nanomaterials. The SAICM regional meeting on 8-9 September will prepare inputs to the OEWG. **dates:** 5-9 September 2011 **location:** Beijing, China **contact:** SAICM Secretariat **phone:** +41-22-917-8532 **fax:** +41-22-797-3460 **email:** saicm@unep.org **www:** <http://www.saicm.org>

11th International HCH and Pesticides Forum: The aim of this meeting is to present and discuss the problems connected with obsolete pesticides in the Southern Caucasus and Central Asia region, Central European and EECCA Countries. **dates:** 7-9 September 2011 **location:** Gabala, Azerbaijan **contact:** Rashad Allahverdiyev **phone:** +99412-510-32-35 ext 174 **fax:** +99412-438-53-81 **email:** az.mineco@gmail.com **www:** http://www.recetox.muni.cz/res/file/pdf/11thHCHForum_2ndAnnouncemen.t.pdf

Final Meeting of the Consultative Process on Financing Options for Chemicals and Wastes: This meeting will conclude the process convened by the UNEP Executive Director to consider the need for mainstreaming the sound management of chemicals and hazardous wastes. It will continue consideration of: industry involvement, including public-private partnerships and the use of economic instruments at the national and international levels; a new trust fund similar to the Multilateral Fund; and establishing safe chemicals and wastes management as a new focal area, expanding the existing persistent organic pollutants focal area under the GEF or establishing a new trust fund under the GEF. **dates:** 6-7 October 2011 **location:** Bangkok, Thailand **contact:** UNEP Division of Environmental Law and Conventions **phone:** +254-20-7624011 **fax:** +254-20-7624300 **email:** delc@unep.org **www:** http://www.unep.org/dec/Chemical_Financing/index.asp

POPRC-7: The seventh meeting of the POPs Review Committee will consider additional chemicals for listing under the Convention and respond to tasks assigned by COP5. This meeting will be paperless. **dates:** 10-14 October 2011 **location:** Geneva, Switzerland **contact:** Stockholm Convention Secretariat **phone:** +41-22-917-8729 **fax:** +41-22-917-8098 **email:** ssc@unep.ch **www:** <http://www.pops.int>

Tenth Meeting of the Conference of the Parties to the Basel Convention: This meeting will convene under the theme "Prevention, minimization and recovery of wastes." **dates:** 17-21 October 2011 **location:** Cartagena, Colombia **contact:** Basel Convention Secretariat **phone:** +41-22-917-8218 **fax:** +41-22-797-3454 **email:** sbc@unep.org **www:** <http://www.basel.int/meetings/meetings.html>

Third Session of the INC to Prepare a Global Legally Binding Instrument on Mercury: This meeting is scheduled to be the third of five Intergovernmental Negotiating Committee (INC) meetings to negotiate a legally binding instrument on mercury. **dates:** 30 October - 4 November 2011 **location:** Nairobi, Kenya **contact:** UNEP Mercury Programme **phone:** +41-22-917-8183 **fax:** +41-22-797-3460 **email:** mercury.chemicals@unep.org **www:** <http://www.unep.org/hazardoussubstances/Mercury/Negotiations/INC3/tabid/3469/Default.aspx>

OEWG of the International Conference on Chemicals Management: This meeting will act as a preparatory meeting for ICCM3, with technical briefings and regional groups meeting on 14 November. **dates:** 15-18 November 2011 **location:** Belgrade, Serbia **contact:** SAICM Secretariat **phone:** +41-22-917-8532 **fax:** +41-22-797-3460 **email:** saicm@chemicals.unep.org **www:** <http://www.saicm.org>

12th Special Session of the UNEP Governing Council/Global Ministerial Environment Forum: The 12th special session of the Governing Council/Global Ministerial Environment Forum (GCSS 12/GMEF) will take place in February 2012. **dates:** 20-22 February 2012 **location:** to be announced **contact:** Secretary, UNEP Governing Council **phone:** +254-20-762-3431 **fax:** +254-20-762-3929 **email:** jamil.ahmad@unep.org **www:** <http://www.unep.org/>

Eighth Meeting of the Chemicals Review Committee: The next meeting of the Rotterdam Convention Chemicals

Review Committee will take place in March 2012. **dates:** 18-23 March 2012 **location:** Geneva, Switzerland **contact:** Rotterdam Convention Secretariat **phone:** +41-22-917-8296 **fax:** +41-22-917-8082 **email:** pic@pic.int **www:** <http://www.pic.int/>

Fourth Session of the INC to Prepare a Global Legally Binding Instrument on Mercury: This meeting is scheduled to be the fourth of five INC meetings to negotiate a legally binding instrument on mercury. **dates:** 18-22 June 2012 **location:** TBC **contact:** UNEP Mercury Programme **phone:** +41-22-917-8183 **fax:** +41-22-797-3460 **email:** mercury.chemicals@unep.org **www:** <http://www.unep.org/hazardoussubstances/Mercury/Negotiations/tabid/3320/Default.aspx>

Third Session of the International Conference on Chemicals Management: This meeting is expected to consider, *inter alia:* adding nanotechnology and hazardous substances within the lifecycle of electrical and electronic products to the SAICM GPA; adding endocrine disruptors and persistent pharmaceutical pollutants to the emerging issues; and the future of financing SAICM implementation after the expiration of the Quick Start Programme. **dates:** 15-20 July 2012 **location:** Geneva, Switzerland **contact:** SAICM Secretariat **phone:** +41-22-917-8532 **fax:** +41-22-797-3460 **email:** saicm@chemicals.unep.org **www:** <http://www.saicm.org>

Sixth Meeting of the Conference of the Parties to the Stockholm Convention: The sixth meeting of the Conference of the Parties to the Stockholm Convention is scheduled to take place in 2013. **dates:** 6-10 May 2013 **location:** Geneva, Switzerland **contact:** Stockholm Convention Secretariat **phone:** +41-22-917-8729 **fax:** +41-22-917-8098 **email:** ssc@unep.ch **www:** <http://www.pops.int>

Sixth Meeting of the Conference of the Parties to the Rotterdam Convention (PIC COP6): PIC COP6 will consider the recommendations of the Chemical Review Committee for listings in Annex III to the Convention, as well as the development of a compliance mechanism and matters related to technical assistance. **dates:** 1-5 July 2013 (tentative) **location:** Rome, Italy **contact:** Rotterdam Convention Secretariat **phone:** +41-22-917-8296 **fax:** +41-22-917-8082 **email:** pic@pic.int **www:** <http://www.pic.int/>

GLOSSARY

COP	Conference of the Parties
CRC	Chemical Review Committee
CRP	Conference room paper
CTE	WTO's Committee on Trade and Environment
DGD	Decision Guidance Document
FAO	UN Food and Agriculture Organization
GEF	Global Environment Facility
GRULAC	Latin American and Caribbean Group
IOMC	Inter-Organization Programme for the Sound Management of Chemicals
PIC	Prior Informed Consent Procedure
UNEP	UN Environment Programme
UNITAR	UN Institute for Training and Research
WTO	World Trade Organization