

SC-1/7: Establishment of the Persistent Organic Pollutants Review Committee

The Conference of the Parties,

1. *Decides* to establish pursuant to paragraph 6 of Article 19 of the Convention a subsidiary body to be called the Persistent Organic Pollutants Review Committee for the purposes of performing the functions assigned to that Committee by the Convention;
2. *Adopts* the terms of reference of the Persistent Organic Pollutants Review Committee contained in the annex to the present decision.

Annex to decision SC-1/7

Terms of reference of the Persistent Organic Pollutants Review Committee

Mandate

1. The Persistent Organic Pollutants Review Committee (hereinafter referred to as the “Committee”) is a subsidiary body to the Conference of the Parties of the Stockholm Convention on Persistent Organic Pollutants established in accordance with paragraph 6 of Article 19 of the Convention. The Committee shall perform the functions assigned to it by the Convention.

Membership

2. The members of the Committee shall be appointed by the Conference of the Parties on the basis of equitable geographical distribution, taking into account gender and the need for a balance between different types of expertise.

3. The Committee shall consist of 31 members drawn from the regions identified in appendix I to the present terms of reference, as follows:

African States:	8
Asian and Pacific States:	8
Central and Eastern European States:	3
Latin American and Caribbean States:	5
Western European and other States:	7

4. Members of the Committee shall be government-designated experts in chemical assessment or management from Parties.
5. When designating experts, Parties within a region as defined in appendix I shall have due regard to a balance between different types of expertise and between genders, and ensure that expertise in health and environment is represented. Parties shall provide curricula vitae, to be submitted to the Conference of the Parties, for the designated experts.
6. The Governments listed in appendix II shall each formally designate one expert and, through the Secretariat, provide their names and relevant qualifications to the Conference of the Parties by 1 August 2005. Such experts shall serve as members of the Persistent Organic Pollutants Review Committee on an interim basis, pending formal confirmation of their appointment by the Conference of the Parties at its second meeting.
7. For the purposes of these initial appointments and in order to promote an orderly rotation of membership, one half of the members of each region shall be nominated for an initial term of two years, and the remaining members of each region shall be nominated for an initial term of four years, commencing from the date of the second meeting of the Conference of the Parties.¹
8. Subject to the provisions of paragraphs 6 and 7 above, each member shall serve for a term of four years from the date of appointment, and for no more than two consecutive terms.

¹ For those regions for which the number of members is an odd number, the phrase “one half of the members of such region” shall be interpreted to mean the nearest whole number less than one half of the number of members in that region. Accordingly, if a region has five members, one half of that number will be taken to mean two.

9. A new list of Governments to replace the list in appendix II shall be adopted, consistent with the provisions indicated in paragraph 2, at subsequent meetings of the Conference of the Parties so that vacancies created by outgoing members may be filled. Any vacancy arising during an intersessional period shall be filled in accordance with such procedure as the region concerned may determine and the qualifications of the new member shall be circulated to the Parties to the Convention through the Secretariat.

Invited experts

10. The Committee may invite no more than 30 experts who are not members of the Committee, with due consideration to the balance between developed and developing countries, to support it in its work. A roster of experts shall be established. Parties may designate experts for inclusion in that roster, noting their areas of expertise or specific substance knowledge.

11. The Committee shall establish and apply criteria, which shall be approved by the Conference of the Parties, for the selection of experts from the roster to provide needed expertise.

12. If no expert on the roster has specific expertise on a certain issue, the Committee may invite other experts to participate in the work of the Committee in accordance with the criteria referred to in paragraph 11.

Other participants

13. The meetings of the Committee shall be open to:

(a) Parties to the Convention, which shall be treated as observers in accordance with the rules of procedure of the Conference of the Parties for the purpose of their participation in the committee;

(b) Observers, in accordance with the rules of procedure of the Conference of the Parties.

14. The Committee shall invite any Party that has submitted a proposal for listing a chemical in annexes A, B or C of the Convention to its meetings where the chemical is discussed.

Conflict of interest

15. Each member of the committee as well as each invited expert shall sign a declaration of interest as set out in decision SC-1/8 prior to participating in the work of the committee.

16. The Conference of the Parties shall decide on individual cases of conflict of interest concerning members of the Committee.

17. The Committee shall decide on individual cases of conflict of interest concerning experts invited to take part in the work of the Committee.

18. For invited experts from industry and other non-governmental organizations, the Committee shall identify through conflict of interest procedures whether any potential conflict of interest exists in order to decide on their participation.

Confidentiality of data

19. The Committee shall establish confidentiality arrangements as a matter of priority. In handling confidential information and in establishing such arrangements, the Committee shall ensure that paragraph 5 of Article 9 of the Convention is respected.

Officers of the Committee

20. The Conference of the Parties shall elect the Chair of the Committee, and the Committee shall thereafter elect from among its members a Vice-Chair. Elections shall take into account geographical and gender balance among the officers.

Administrative and procedural matters

21. In addition to following the procedures in Article 8 and paragraph 6 of Article 19 of the Convention, the Committee shall apply, *mutatis mutandis*, the rules of procedure of the Conference of the Parties, unless otherwise provided in these terms of reference.
22. The Committee may establish such arrangements as are necessary to facilitate its work.
23. The Chair and the Vice-Chair of the Committee may exercise the right to vote.

Work plans

24. The Committee shall work in an efficient and timely manner and shall set priorities on chemicals, having regard to its work load. For each chemical under consideration, the Committee shall establish a work plan with time frames. Work plans shall be flexible and take into account the work load and the need to acquire sufficient information from relevant stakeholders. The Committee shall submit its work plans to each ordinary meeting of the Conference of the Parties.

Meetings

25. The Secretariat, in consultation with the officers of the Committee, shall prepare a provisional agenda for each meeting of the Committee. The provisional agenda shall be communicated to all Parties and observers at least six weeks before the opening of the Committee meeting.
26. The Committee should meet at least once a year, subject to availability of funds and work requirements. Meetings shall take place between meetings of the Conference of the Parties and be scheduled so that proposals for listing chemicals can go forward to the next meeting of the Conference of the Parties for consideration.
27. Technical documents shall be distributed at least three months in advance of meetings. Other documents shall be distributed at least six weeks in advance of meetings.
28. The Committee shall prepare for its meetings the risk profiles and risk management evaluations required by Article 8 of the Convention. Members of the Committee may lead the preparation of such documents, drawing in the first instance upon existing peer-reviewed material. The nominating Party or Parties may facilitate the process by submitting a proposal for listing of a chemical together with a draft risk profile and a draft risk management evaluation.
29. The Committee may establish ad hoc working groups, such as chemical-specific groups, to work during meetings and intersessionally. Such groups shall be chaired by at least one member of the Committee and may consist of members of the Committee as well as invited experts and observers. The establishment of formal subcommittees should be avoided.

Language of meetings

30. For the effective conduct of meetings, simultaneous interpretation will be provided into the six official languages of the United Nations.
31. For practical reasons, only the major resource documents for a meeting² will be translated into the six official languages of the United Nations.
32. Unless agreed otherwise by the Conference of the Parties, meetings of the Committee shall take place only at the seat of the Secretariat to the Convention.

Recommendations and reports to the Conference of the Parties

33. The Committee shall make recommendations to list chemicals in Annexes A, B or C of the Convention to the Conference of the Parties. Any such recommendation from the Committee shall provide reasons as well as any dissenting views and relevant supporting documents.

² The term "major resource documents" shall mean the summary of the proposal for adding a chemical to the POPs list, the risk profile and any report and recommendation from the meeting.

34. The Committee may make recommendations to the Conference of the Parties on these terms of reference and the organization and operation of the Committee.

35. Decisions, recommendations and meeting reports of the Committee shall be available as meeting documents of the Conference of the Parties in the six official languages of the United Nations. Reports by the Committee shall be publicly available and easily accessible.

Budget

36. Financial support, i.e., travel and daily subsistence allowance, shall be made available to Committee members and invited experts from developing countries and countries with economies in transition for participation in meetings of the Committee according to United Nations practice. When considering the invitation of experts, the Committee shall take into account the availability of resources.

Appendix I

Distribution of countries

Regional groups for the purpose of membership in the Persistent Organic Pollutants Review Committee

African States			
Algeria	Djibouti *	Malawi	South Africa *
Angola	Egypt *	Mali *	Sudan
Benin *	Equatorial Guinea	Mauritania	Swaziland
Botswana *	Eritrea **	Mauritius *	Togo *
Burkina Faso *	Ethiopia *	Morocco *	Tunisia *
Burundi	Gabon	Mozambique	Uganda *
Cameroon	Gambia	Namibia	United Republic of Tanzania *
Cape Verde	Ghana *	Niger	Zambia
Central African Republic	Guinea	Nigeria *	Zimbabwe
Chad *	Guinea-Bissau	Rwanda *	
Comoros	Kenya *	Sao Tome and Principe	
Congo	Lesotho *	Senegal *	
Côte d'Ivoire *	Liberia*	Seychelles	
Democratic Republic of the Congo*	Libyan Arab Jamahiriya	Sierra Leone *	
	Madagascar	Somalia	
Asian and Pacific States			
Afghanistan	Iraq	Mongolia *	Sri Lanka
Bahrain	Japan *	Myanmar *	Syrian Arab Republic
Bangladesh	Jordan *	Nauru *	Tajikistan
Bhutan	Kazakhstan	Nepal	Thailand *
Brunei Darussalam	Kiribati *	Niue	Timor-Leste
Cambodia	Kuwait	Oman *	Tonga
China*	Kyrgyzstan	Pakistan	Turkmenistan
Cook Islands *	Lao People's Democratic Republic	Palau	Tuvalu*
Cyprus *	Lebanon *	Papua New Guinea *	United Arab Emirates *
Democratic People's Republic of Korea *	Malaysia	Philippines *	Uzbekistan
Fiji *	Maldives	Qatar *	Vanuatu
India	Marshall Islands *	Republic of Korea	Viet Nam *
Indonesia	Micronesia (Federated States of)	Samoa *	Yemen*
Iran (Islamic Republic of)		Saudi Arabia	
		Singapore	
		Solomon Islands *	
Central and Eastern European States			
Albania *	Croatia	Lithuania	Slovakia *
Armenia *	Czech Republic *	Poland	Slovenia *
Azerbaijan *	Estonia	Republic of Moldova *	The former Yugoslav Republic of Macedonia*
Belarus *	Georgia	Romania *	Ukraine
Bosnia and Herzegovina	Hungary	Russian Federation	
Bulgaria *	Latvia *	Serbia and Montenegro	
Latin American and Caribbean States			
Antigua and Barbuda *	Costa Rica	Haiti	Saint Lucia *
Argentina *	Cuba	Honduras	Saint Vincent and the Grenadines
Bahamas	Dominica *	Jamaica	Suriname
Barbados *	Dominican Republic	Mexico *	Trinidad and Tobago *
Belize	Ecuador *	Nicaragua	Uruguay *
Bolivia *	El Salvador	Panama *	Venezuela (Bolivarian Republic of)**
Brazil *	Grenada	Paraguay *	
Chile *	Guatemala	Peru	
Colombia	Guyana	Saint Kitts and Nevis *	

Western European and other States			
Andorra	Greece	Monaco *	Switzerland *
Australia *	Iceland *	Netherlands *	Turkey
Austria *	Ireland	New Zealand *	United Kingdom *
Belgium	Israel	Norway *	United States of
Canada *	Italy	Portugal *	America
Denmark *	Liechtenstein *	San Marino	
Finland *	Luxembourg *	Spain *	
France *	Malta	Sweden *	
Germany *			

* Parties to the Stockholm Convention as of 4 May 2005.

** Ratified or acceded to the Stockholm Convention as of 4 May 2005, but not yet a Party.

Appendix II

List of Governments identified by the Conference of the Parties at its first meeting to nominate a member to the POPs Review Committee

African States

2 years:

Chad
Cote d'Ivoire
Ethiopia
Mauritius

4 years:

Burkina Faso
Morocco
Sierra Leone
South Africa

Asian and Pacific States

2 years:

Fiji
Philippines
Qatar
Yemen

4 years:

China
Japan
Jordan
Thailand

Central and Eastern European States

2 years:

Slovenia

4 years:

Armenia
Czech Republic

Latin American and Caribbean States

2 years:

Trinidad and Tobago
Uruguay

4 years:

Brazil
Ecuador
Mexico

Western European and other States

2 years:

Norway
Spain
United Kingdom

4 years:

Australia
Canada
Germany
Sweden