

Terms of reference of the Persistent Organic Pollutants Review Committee as amended by decision SC-4/20 and SC-5/11

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.

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

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.

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.

15bis. The Committee shall meet in closed session before the start of each meeting of the Committee to discuss any issues related to conflicts of interest of Committee members. Should any conflict of interest of a Committee member arise, the Chair of the Committee shall consult the President of the Conference of the Parties and the Executive Secretary with a view to making a decision on the member's participation in the Committee's work in respect of a particular chemical.

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. Proposals for listing chemicals in Annexes A, B or C shall be distributed at least three months in advance of the meeting at which they are to be discussed. Other documents shall be distributed at least six weeks in advance of the meeting.

27bis. A Party proposing the listing of a chemical in Annex A, B or C of the Convention shall provide to the Secretariat, no later than five months in advance of the meeting at which it is to be discussed, a proposal consisting of a letter from the proposing Party, documents supporting the proposal and a summary in English of the documents supporting the proposal of up to 20 pages in length.

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 meeting will be translated into the six official languages of the United Nations and distributed at least six weeks in advance of the meeting. The term "major resource documents" means the summary in English of the documents supporting the proposal for adding a chemical to Annexes A, B or C to the Convention, the risk profile, the risk management evaluation and any report or recommendation for the meeting.

31bis. Proposals for listing chemicals in Annexes A, B or C shall be distributed at least three months in advance of the meeting at which they are to be discussed in any official language of the United Nations in which they are submitted to the secretariat. The summary in English of the documents supporting the proposals shall be translated into the six official languages of the United Nations and distributed at least six weeks in advance of the meeting.

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.

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

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