



## PIC INC-8 HIGHLIGHTS MONDAY, 8 OCTOBER 2001

On the first day of INC-8, delegates met in morning and afternoon Plenary sessions. Delegates discussed activities of the Secretariat and the situation regarding extrabudgetary funds, as well as aspects related to implementation of the interim prior informed consent (PIC) procedure, including: status of implementation; confirmation of experts designated for the Interim Chemical Review Committee (ICRC); report of the second session of the ICRC (ICRC-2); and adoption of decision guidance documents for already identified chemicals. Delegates also heard presentations from the governments of Germany and Italy/Switzerland offering to host the permanent Secretariat of the Rotterdam Convention.

### OPENING SESSION

INC-8 Chair Maria Celina de Azevedo Rodrigues (Brazil) welcomed delegates and introduced David Harcharik, FAO Deputy Director-General. He said that as crop production intensifies, new demands are being placed on the agriculture sector to contribute to, *inter alia*, protection of biodiversity and the environment, and reduction of greenhouse gas emissions. He advised that the Basel, Stockholm and Rotterdam Conventions should be viewed as building blocks in the effective management of chemicals at each stage of their life cycle, and would provide countries with tools to achieve food security, advance human health and protect the environment.

Shafqat Kakakhel, UNEP Deputy Executive Director, stated that as part of consultations regarding international environmental governance, UNEP has been called upon to investigate possible approaches to clustering chemicals-related conventions with a view to enhancing cooperation, effectiveness and efficiency. He urged well-resourced countries to assist in the timely ratification and implementation of these conventions by developing countries, and reminded governments that are experiencing problems with severely hazardous pesticide formulations that they may propose their inclusion in the PIC procedure.

Chair Rodrigues introduced the Agenda (UNEP/FAO/PIC/INC.8/1/Add.1), noting an additional item regarding an offer by Germany to host INC-9 in Bonn. With this addition, delegates adopted the Agenda. Chair Rodrigues then called attention to a scenario note prepared by the Chair outlining expected outcomes from INC-8 (UNEP/FAO/PIC/INC.8/INF/7), including: a commitment to continue funding the interim PIC procedure and to adopt the 2003 budget; understanding of constraints in preparing notifications of final regulatory actions and import responses; agreement on a disclosure form and conflict of interest procedures for the ICRC; conclusion of discussion on the rules of procedure and settlement of disputes; initial discussion of financial rules and provisions, as well as non-compliance; and discussion of issues associated with discontinuation of the interim PIC procedure.

### ACTIVITIES OF THE SECRETARIAT

Jim Willis, Director, UNEP Chemicals, outlined activities of the Secretariat and the situation regarding extrabudgetary funds (UNEP/FAO/PIC/INC.8/2 and INF/8), and welcomed comments and guidance to improve openness, transparency and accountability regarding budgetary matters. He reviewed the Secretariat's work in support of the interim PIC procedure relating to, *inter alia*: information on nominating designated national authorities; circulation of decision guidance documents; notifications of final regulatory actions to ban or severely restrict chemicals; and future import of chemicals. He noted ongoing work on facilitating implementation and ratification of the Convention, highlighting a regional workshop for Spanish-speaking countries recently held in Cartagena, Colombia. He said a regional workshop for Francophone Africa would be held in Dakar, Senegal in early 2002, and that additional funds had been earmarked for workshops in Central and Eastern Europe, West Asia and the Caribbean. Willis also stressed integrating the PIC facilitation and implementation process with those underway within the Basel and Stockholm Conventions through, *inter alia*, awareness-raising workshops.

Regarding the trust fund, Secretariat staffing and core budget issues, Willis said there was still a lack of finances for proposed workshops, and highlighted financial pledges and contributions, trust fund expenditures, interim Secretariat staffing and the draft budget for 2003. He noted the proposed budget for 2003 of US\$2,446,599 was modestly increased from the 2002 budget (US\$2,308,336) in anticipation of an increased workload.

Recalling the INC's request that the Secretariat provide an indicative list of priorities with each new budget, he suggested the following priority areas: core Secretariat activities relating to the implementation of the interim PIC procedure; INC and ICRC meetings; Secretariat activities relating to the Convention's entry into force; facilitation of implementation and ratification, including workshops; and Secretariat activities relating to the statement made by the President of the Conference of Plenipotentiaries, i.e. illicit trafficking. He also noted, *inter alia*, that work on dispute settlement and harmonization standards has been impeded by budgetary constraints, and said decisions taken by the INC may impact the proposed budget and priorities.

EGYPT requested a workshop for Arabic-speaking countries. NEW ZEALAND said that facilitating implementation and ratification should be given higher priority and, with the US and CUBA, called for a more detailed breakdown of the budget. FINLAND said it was contributing US\$50,000 toward the implementation of the Convention. BELGIUM advised that it had earmarked funds toward the workshop in Senegal for African Francophone countries. UKRAINE offered to host the regional workshop for Central and Eastern Europe. The EU said prioritizing would reduce work in other areas, and said another Euros 100,000 would be made

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available next year. The US proposed renegotiating the 13% administrative UNEP fee and reducing the number of PIC meetings. IRAN asked whether facilitation activities go beyond workshops, and if workshops for developed countries are planned. CUBA, MADAGASCAR and MALI emphasized the workshops' importance in strengthening skills and addressing specific problems. ARGENTINA highlighted translation problems. The PESTICIDE ACTION NETWORK called for NGO participation in the workshops and offered to help identify relevant NGOs. MALAYSIA stressed the need to promote the Convention, and, with ARGENTINA, supported the Secretariat's prioritization of activities.

Responding to the comments, Jim Willis stated that: workshops do strengthen capacity and skills for implementing and promoting the Convention; facilitation activities go beyond the workshops; provision of information materials in national languages is underway and that the Secretariat endeavours to accommodate language requests; developed countries are encouraged to organize workshops; NGO participation will be ensured; and a more detailed and corrected financial report will be prepared. Supported by the Chair, he noted that renegotiating the 13% UNEP administrative fee is a decision of the UNEP Governing Council, and should be addressed there.

Supported by NORWAY and ARGENTINA, the Chair stressed that reducing the number of meetings would impede the ratification of the Convention. The EC advised about available sources of technical assistance. EL SALVADOR and ARGENTINA called for greater cooperation with other Conventions, particularly the Basel Convention. The Chair said that cooperation is already underway. Delegates then provisionally approved the budget, with facilitation and implementation activities given higher priority.

#### **IMPLEMENTATION OF THE INTERIM PIC PROCEDURE**

**STATUS OF IMPLEMENTATION:** Gerold Wyrwal, FAO, discussed the status of implementation of the interim PIC procedure (UNEP/FAO/PIC/INC.8/3 and INF/9), advising that: 195 Parties had nominated 265 designated national authorities, while 27 Parties had not yet done so; there are three new chemicals for which notifications of final regulatory actions have been received by two PIC regions (DNOC, Dinoterb and Asbestos), and which are scheduled for consideration by the next session of the ICRC; and two proposals for severely hazardous pesticide formulations have been received by the Secretariat from Senegal (Granox TBC and Spinox T). The EC expressed concern about the significant number of incomplete notifications and the poor response rate, and reported on recent EU activities under the interim PIC procedure.

**CONFIRMATION OF EXPERTS DESIGNATED FOR THE ICRC:** Niek van der Graaff, FAO, announced that one of the ICRC experts had resigned after INC-7, and that a new expert from Australia, representing the Southwest Pacific region, has been acting as an interim member of the ICRC. The INC confirmed his nomination.

**PRESENTATION OF ICRC-2 REPORT:** ICRC Chair Reiner Arndt (Germany) then presented the report of ICRC-2 (UNEP/FAO/PIC/INC.8/5). He said the ICRC recommended that the pesticide monocrotophos be subject to the interim PIC procedure, and advised that the ICRC would develop a decision guidance document and recommend to the INC its inclusion in the PIC procedure. He also emphasized the role of regional workshops in strengthening links between designated national authorities and the work of the ICRC, and highlighted the establishment of five intersessional task groups, including one on monocrotophos.

**ADOPTION OF DECISION GUIDANCE DOCUMENTS:** On adoption of decision guidance documents for already identified chemicals (UNEP/FAO/PIC/INC.8/6), Reiner Arndt said the ICRC considered the decision guidance document on maleic hydrazide forwarded by the INC, and recommended, *inter alia*, that it not be subject to the interim PIC procedure and a decision guidance docu-

ment not be developed, and that the decision be subject to written confirmation from identified manufacturers that the level of free hydrazine is not more than 1 ppm.

#### **PRESENTATIONS TO HOST THE PERMANENT SECRETARIAT**

The German Ministry for the Environment, Nature Conservation and Nuclear Safety presented its offer to host the permanent Secretariat of the Rotterdam Convention in Bonn. The German government stated they would provide long-term, rent-free office space, DM 1,000,000 annually for PIC events held in Germany and an additional DM 1,000,000 for a relocation allowance. They emphasized Bonn's reputation as a city of international prominence, and the existing presence in Bonn of several environment-related UN agencies, organizations, and convention secretariats, including the UN Framework Convention on Climate Change and UN Convention to Combat Desertification. The German government also drew attention to its strong domestic commitment to resolving environmental problems, peacemaking and multilateralism, underscoring the complementary nature of the UN system and German foreign policy. As a further demonstration of its commitment, Germany reiterated its invitation to host the PIC INC-9.

Switzerland and Italy then made a joint offer to host the permanent Secretariat, reiterating that this would build on existing successful structures, and ensure synergies, efficiency, cost effectiveness and convenience. Switzerland then drew attention to the presence of the Basel Convention Secretariat's presence in Geneva, and said that locating the Secretariat in Rome and Geneva was based on necessity, not on political considerations. He guaranteed an annual contribution of Euros 1.2 million, and highlighted that both Italy and Switzerland house many related international organizations, including the FAO, the World Trade Organization and the World Health Organization. He recalled the recent UNEP decision on international environmental governance, which aims to better coordinate the work of multilateral environmental agreements, and said co-locating the chemicals-related conventions would go towards achieving this aim. He also noted the presence of many chemicals experts, trade representatives and missions in Rome and Switzerland.

#### **IN THE CORRIDORS**

INC-8 picked up where INC-7 left off, leaving delegates questioning when and how the tough issues facing the INC will be addressed. While some participants commended the Secretariat's work on a host of issues such as problems with notifications of final regulatory actions, others wondered whether there would be concerted efforts by the Committee to address them in a timely and effective manner. In addition, despite the fact that the decision regarding the location of the Secretariat of the Rotterdam Convention will only be made by the COP, the campaigns of both the German government and those of Italy/Switzerland are in full swing, with enthusiastic presentations and fancy dinners hosted by both contenders at INC-8.

#### **THINGS TO LOOK FOR TODAY**

**PLENARY:** Delegates will reconvene in Plenary at 10:00 am in the Green Room at FAO Headquarters and are expected to continue discussion of issues related to implementation of the interim PIC procedure, including: adoption of decision guidance documents for already identified chemicals; contaminants; issues associated with the operational procedures for the ICRC; inclusion of chemicals in the interim PIC procedure; and analysis of problems frequently encountered by Parties in their preparation of notifications.