



Earth Negotiations Bulletin

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A Reporting Service for Environment and Development Negotiations

Vol. 15 No. 11

Published by the International Institute for Sustainable Development

Monday, 14 September 1998

REPORT OF THE CONFERENCE OF PLENIPOTENTIARIES ON THE CONVENTION ON THE PRIOR INFORMED CONSENT PROCEDURE FOR CERTAIN HAZARDOUS CHEMICALS AND PESTICIDES IN INTERNATIONAL TRADE: 10-11 SEPTEMBER 1998

The Conference of Plenipotentiaries on the Convention on the Prior Informed Consent Procedure for Certain Hazardous Chemicals and Pesticides in International Trade (PIC Convention) was held from 10-11 September 1998 in Rotterdam. Ministers and senior officials from nearly 100 countries adopted the Final Act of the Conference and the PIC Convention as well as a resolution on interim arrangements between the adoption of the PIC Convention and its entry into force. A total of 61 countries signed the PIC Convention, while 78 countries signed the Final Act. The PIC Convention will remain open for signature at United Nations Headquarters from 12 September 1998 to 10 September 1999. The Convention will enter into force 90 days after receipt of the 50th instrument of ratification.

The PIC Convention is a means for formally obtaining and disseminating information so that decisions can be made by importing countries as to whether they wish to receive future shipments of certain chemicals and for ensuring compliance with these decisions by exporting countries. The Convention promotes shared responsibility between exporting and importing countries in protecting human health and the environment from the harmful effects of such chemicals and provides for the exchange of information about potentially hazardous chemicals that may be exported and imported. A key goal of the PIC Convention is to provide technical assistance for developing countries and countries with economies in transition to develop the infrastructure and capacity necessary to implement the provisions of the Convention. The PIC Convention will initially cover 22 pesticides and five industrial chemicals, but it is expected that many more will be added as the provisions of the Convention are implemented. Governments have agreed to continue to implement the voluntary PIC procedure during the interim period using the new procedures contained in the Convention until the Convention formally enters into force.

A BRIEF HISTORY OF THE PIC NEGOTIATIONS

Growth in internationally traded chemicals during the 1960s and 1970s led to increasing concern over pesticides and industrial chemical use, particularly in developing countries that lacked the expertise or infrastructure to ensure their safe use. This prompted the development of the International Code of Conduct for the Distribution and Use of Pesticides by the FAO and the London Guidelines for the Exchange of Information on Chemicals in International Trade by UNEP. Both the Code of Conduct and the London Guidelines include procedures aimed at making information about hazardous chemicals more readily available, thereby permitting countries to assess the risks associated with their use. In 1989, both instruments were amended to include the voluntary Prior Informed Consent (PIC) procedure to help countries make informed decisions on the import of chemicals that have been banned or severely restricted. Managed jointly by the FAO and UNEP, the PIC procedure is a means for formally obtaining and disseminating the decisions of importing countries on whether they wish to receive future shipments of such chemicals. The aim is to promote a shared responsibility between exporting and importing countries in protecting human health and the environment from the harmful effects of certain hazardous chemicals being traded internationally. The voluntary PIC procedure is designed to:

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This issue of the *Earth Negotiations Bulletin* © <enb@iisd.org> is written and edited by Richard Campbell <richcam@hotmail.com> and Leila Mead <leila@interport.net>. The Editor is Pamela Chasek, Ph.D. <pam@iisd.org> and the Managing Editor is Langston James "Kimo" Goree VI <kimo@iisd.org>. The Sustaining Donors of the *Bulletin* are the Netherlands Ministry for Development Cooperation, the Government of Canada (through CIDA) and the United States (through USAID). General Support for the *Bulletin* during 1998 is provided by the United Kingdom Department for International Development (DFID), the German Federal Ministry of Environment (BMU), the Danish Ministry of Foreign Affairs, the Swiss Office for Environment, Forests and Landscape, the European Community (DG-XI), the Ministries of Environment and Foreign Affairs of Austria, the Ministries of Foreign Affairs and Environment of Norway, the United Nations Development Programme (UNDP), the Global Environment Facility (GEF) and the Ministry for the Environment in Iceland. The *Bulletin* can be contacted by e-mail at <enb@iisd.org> and at tel: +1-212-644-0204; fax: +1-212-644-0206. IISD can be contacted by e-mail at <info@iisd.ca> and at 161 Portage Avenue East, 6th Floor, Winnipeg, Manitoba R3B 0Y4, Canada. The opinions expressed in the *Earth Negotiations Bulletin* are those of the authors and do not necessarily reflect the views of IISD and other funders. Excerpts from the *Earth Negotiations Bulletin* may be used in non-commercial publications only and only with appropriate academic citation. For permission to use this material in commercial publications, contact the Managing Editor. Electronic versions of the *Bulletin* are sent to e-mail distribution lists and can be found on the Linkages WWW server at <http://www.iisd.ca/linkages/>. The satellite image was taken above New York City (c)1998 The Living Earth, Inc. <http://livingearth.com>. For information on the *Earth Negotiations Bulletin*, send e-mail to <enb@iisd.org>.



- help participating countries learn more about the characteristics of potentially hazardous chemicals that may be imported;
- initiate a decision-making process on the future import of these chemicals; and
- facilitate the dissemination of these decisions to other countries.

When the United Nations Conference on Environment and Development (UNCED) convened in Rio de Janeiro in June 1992, delegates recognized that the use of chemicals is essential to meet social and economic goals, while also acknowledging that a great deal remains to be done to ensure the sound management of chemicals. Chapter 19 of Agenda 21, the programme of action adopted by UNCED, contains an international strategy for action on chemical safety. Paragraph 19.38(b) calls on States to achieve by the year 2000 the full participation in and implementation of the PIC procedure, including possible mandatory applications of the voluntary procedures contained in the amended London Guidelines and the International Code of Conduct.

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 FAO/UNEP Programme on PIC in cooperation with other international and non-governmental organizations. In May 1995, the 18th session of the UNEP Governing Council adopted decision 18/12, which authorized the Executive Director to convene, together with the FAO, an intergovernmental negotiating committee with a mandate to prepare an international legally binding instrument for the application of the PIC procedure. A diplomatic conference for the purpose of adopting and signing such an instrument was originally to be convened in 1997.

INC-1: The first session of the Intergovernmental Negotiating Committee (INC-1) was held from 11-15 March 1996 in Brussels. More than 194 delegates from 80 governments, the European Commission, a number of specialized agencies, IGOs and NGOs participated. INC-1 agreed on the rules of procedure, elected bureau members and completed a preliminary review of a draft outline for a future instrument. Delegates also established a working group to clarify the groups of chemicals to be included under the instrument.

INC-2: The second session of the INC, which was held from 16-20 September 1996 in Nairobi, produced a draft text of the Convention and established a Technical Working Group and a Legal Drafting Group. Delegates from 86 governments agreed that many facets of the instrument required further detailed consideration and noted the need for at least one additional negotiating session before the Convention could be completed.

FAO COUNCIL: The FAO Council, at its 111th meeting in October 1996, discussed the scope of the mandate for the PIC negotiations. Some members expressed support for a broader framework convention on the management of chemicals, while others suggested that the relevant provisions of the instrument be formulated in a way that could accommodate possible future developments. Some preferred to limit the negotiations to the PIC procedure only and establish separate negotiations on persistent organic pollutants (POPs). Lacking consensus, the Council concluded that the present mandate of the INC would continue and noted that the 19th UNEP Governing Council would consider the issue as well.

UNEP GOVERNING COUNCIL: The 19th session of the UNEP Governing Council, held in Nairobi from 27 January - 7 February 1997, adopted decision 19/13, concerning, *inter alia*, the international instrument for the PIC procedure. The Council: confirmed the present mandate of the INC; invited the INC to continue its work, with an aim to conclude negotiations in 1997; recognized that additional elements

relating to the PIC procedure are under consideration in the INC; and requested the Executive Director to convene, in 1997, a diplomatic conference for the purpose of adopting and signing an international legally binding instrument.

INC-3: The third session of the INC (INC-3) was held from 26-30 May 1997 in Geneva. Over 300 delegates from 102 countries considered the revised text of draft articles for the instrument, as well as proposals from several delegations. A Technical Working Group and Legal Drafting Group met throughout the week, as did a number of contact groups. Considerable debate centered on the scope of the proposed Convention and many articles remained under discussion.

INC-4: The fourth session of the INC (INC-4), which was held from 20-24 October 1997 in Rome, was attended by more than 250 delegates from over 100 countries. INC-4 considered the revised text of draft articles for the instrument, as well as proposals by the US and European Community. Progress on some "secondary issues" left a smaller number of issues to be resolved.

INC-5: The fifth session of the INC (INC-5) was held from 9-14 March 1998 in Brussels. Delegates from over 95 countries considered a consolidated draft text of articles. Delegates held additional evening sessions to successfully finalize text by the end of the meeting. The INC agreed upon the text of the PIC Convention to be presented to the Diplomatic Conference in Rotterdam. Also agreed upon was the draft resolution on interim arrangements before the Convention's entry into force.

REPORT OF THE DIPLOMATIC CONFERENCE

On Thursday, 10 September 1998, FAO Director-General Jacques Diouf welcomed delegates and formally opened the Conference of Plenipotentiaries on the Convention on the Prior Informed Consent Procedure for Certain Hazardous Chemicals and Pesticides in International Trade.

UNEP Executive Director Klaus Töpfer welcomed delegates and said the Netherland's invitation to host the meeting is evidence of its leadership on environment and development issues. In its honor, the PIC Convention would be formally named the Rotterdam Convention on Prior Informed Consent for Certain Hazardous Chemicals and Pesticides in International Trade. He said the Convention is a first step in building a new global approach to address the serious human health and environmental problems caused by hazardous pesticides and other chemicals, and stressed the interdependence of economic development and environmental protection. He said the Convention implies an innovative approach to environmental protection by providing safeguards against the harmful effects of chemicals without denying their advantages. He said building sustainability into the chemical industry and the sectors of society that process, use, trade and dispose of chemicals is the ultimate challenge for the next millennium and underscores the importance of collaboration between the chemical industry and the environmental community.

He noted that the PIC Convention would supplement and strengthen other environmental conventions and highlighted the Basel Convention and the Biosafety Protocol. He attached particular significance to the future convention on Persistent Organic Pollutants (POPs), as seven of the chemicals included in the PIC Convention are on the short list of the 12 POPs. He said the PIC Convention will help keep the situation from worsening for the seven POPs and that as the PIC Convention is implemented, it will be a valuable tool in monitoring and addressing the trade of POPs. He said not only governments, but agencies, such as the WHO, the ILO and UNIDO, and



NGOs are critical in protecting against the harmful effects of chemicals. He stressed the importance of implementing the interim measures in an effective manner and highlighted the successful collaboration between UNEP and the FAO in implementing the voluntary PIC programme.

In his opening address, Jacques Diouf noted the suitability of holding a meeting that concerns international trade in Rotterdam since it houses the largest harbor in the world. He said the PIC Convention builds on the experience gained since 1990 in implementing the voluntary PIC procedure under the joint FAO/UNEP programme. He pointed out that many pesticides banned or severely restricted in developed countries are still marketed and used in developing countries, and that farmers, notably those working in tropical conditions, cannot safely handle hazardous pesticides.

He said the Convention will contribute to efforts to intensify agriculture in developing countries in a sustainable manner, but lamented that the provision of food without resorting to pesticide use is still elusive. He acknowledged the recent identification of many promising non-chemical mechanisms to protect plants from pests, including biological control and genetically altered organisms, but pointed to possible problems with them. He emphasized Integrated Pest Management (IPM) as an example of an environmentally friendly programme through which agricultural production can increase while pesticide use decreases. He called on the public sector, industry and NGOs to work together and share responsibility in ensuring that pesticides are used in such a way that does not pose a risk to human health and the environment.

With respect to developing countries, he said pesticide regulations are often lacking or not enforced, and noted insufficient infrastructure to control use, lack of trained personnel, and continued use of pesticides due to low prices. He also stressed that lack of management has resulted in the accumulation of stocks of outdated and obsolete pesticides in many developing countries and that safe disposal of these stocks is a monumental task that must be addressed. He highlighted the vital role the PIC Convention can play in changing and remedying some of these problems and noted that the voluntary procedure has raised awareness and provided evidence that some pesticides can be removed from the market without hampering agricultural production.

He reiterated that FAO and UNEP would act as joint Secretariat for the interim period as well as in the future. He called for funding to meet additional expenditures over and above the funding provided by FAO and UNEP for the present voluntary process. He said the PIC Convention is an important step forward, but stressed that more than just signing, adoption and ratification was necessary for the Convention to be effective. He underscored the importance of implementation and enforcement and stressed the necessity of financial and technical support to developing countries. He also called on exporting countries to make sure that commercial and government enterprises adhere to the Convention. He called on governments to adopt and sign the Convention since it is an important step in the attainment of sustainable agriculture.

Jan Pronk, Netherlands Minister of Housing, Spatial Planning and the Environment, welcomed delegates to the Netherlands, highlighting the appropriateness of holding the Conference in Rotterdam, with its world port and booming chemical industry. He highlighted Agenda 21 and the mission it gave to the world community to achieve sustainable development. He acknowledged the challenge of achieving sustainable chemicals management, noting the benefits that chemicals bring to the world, while stressing that many countries, including the Netherlands,

have learned through bitter experience of the harm their unwise and unsustainable use causes. He stressed the vital role of development cooperation in assisting developing countries and countries with economies in transition to establish the necessary infrastructure and capacity to ensure the sound and sustainable use of chemicals. He said the PIC procedure is not in itself a goal but a means of achieving the goal of sustainable chemicals management and that it will remain essential until developing countries have the infrastructure, capacity and enforcement procedures to take necessary decisions independently.

He underscored the GEF's potential role in supporting efforts towards global sustainable chemical management. He identified the PIC and the future POPs Conventions as milestones in an ongoing process requiring monitoring, compliance and enforcement, and said he hoped for a single worldwide agreement on chemicals. He noted the Dutch Government's willingness to provide financial support to bridge the interim period before the first COP, highlighting possible funding to clean up obsolete stocks. He congratulated the INC and its Chair, Maria Celina de Azevedo Rodrigues, on their efficiency, and UNEP and FAO on their collaborative efforts. Finally, he stressed the need for rapid ratification and the need for arrangements to ensure implementation and adequate monitoring and enforcement.

ORGANIZATIONAL MATTERS

Provisionally applying the rules of procedure, the Conference elected Jan Pronk as its president. Accepting his position as president, Pronk said the three primary tasks of the Conference were to adopt the PIC Convention, the resolutions, and the Final Act of the Conference.

The Conference next turned to the rules of procedure, as contained in document UNEP/FAO/PIC/CONF/3. The President decided that a proposed amendment by Germany to Rule 36 on adoption of decisions to make reference to decisions on the physical location of the interim Secretariat (UNEP/FAO/PIC/CONF/INF/4) would be dealt with when discussing the agenda item on the adoption of resolutions. The Conference then adopted the rules of procedure. IRAN reminded the Conference that the rules were being adopted *mutatis mutandis*.

Delegates then elected the following officers to form the Conference's Bureau: Antonio H. Cerilles (Philippines); Souty Touré (Senegal), Maria Celina de Azevedo Rodrigues (Brazil) and Jenő Molinár (Hungary). Ms. Rodrigues was chosen as Rapporteur for the Conference.

The Conference then: adopted the agenda, as contained in document UNEP/FAO/PIC/CONF/1; decided that the Bureau of the Conference would also form the Credentials Committee; and adopted the organization of work. It was decided that the Conference would work without establishing any subsidiary bodies, with the exception of the Credentials Committee.

REPORT OF THE CREDENTIALS COMMITTEE

The Secretariat reported on the final results of the Credentials Committee on Friday, 11 September. He noted that the Committee met three times during the Conference to consider the powers received and/or presented by the States participating at the Conference. Based on State submissions of original instruments of their full powers, the Committee determined which countries would be authorized to sign the Final Act and which would be authorized to sign both the Final Act and the Convention. In his final report, he noted that all of the submitted credentials had been accepted by the Credentials Committee



and that faxes or copies would be accepted on the understanding that after the Conference those countries would submit original instruments to the Secretary-General of the United Nations.

ADOPTION OF THE CONVENTION

INC Chair Maria Celina de Azevedo Rodrigues introduced the text of the Convention, as agreed upon at INC-5 (UNEP/FAO/PIC/CONF/2). She stated that the text has been finalized and prepared in accordance with the INC's mandate and submitted the text to the Conference for adoption. The PIC Convention was then adopted by the Conference.

MOROCCO asked the Conference to create a working party to address pending issues raised by the African Group during PIC-5 regarding illicit trafficking and liability and compensation. He reiterated the need for decisions that take into account financial and technical assistance for developing countries. TUNISIA said implementation depends on resources made available to developing countries. He proposed that a financial mechanism be established to provide funds, as is the case for other conventions like the Convention on Biological Diversity (CBD) and the Framework Convention on Climate Change (FCCC). INDIA said that the absence of a financial mechanism would leave an important gap in the deliberations. He said developing countries are in need of institutions, testing facilities, and capacities for the sound and sustainable use of chemicals, as well as for the safe disposal of obsolete chemicals.

The President highlighted that the PIC Convention had already been adopted and that these issues could be addressed at a later date. He said statements expressing concerns would be recorded in the Conference report. Acknowledging that this may be inadequate for some countries, he proposed that a resolution be adopted with regard to the issues being raised. Recalling that these issues were raised during the INC negotiations, the US hesitated at the President's proposal as it goes beyond what had already been negotiated. However, he noted a US pledge of funds for capacity building and urged other countries to contribute as well. In response to the President's proposal to draft a new resolution and the concerns expressed, the Chair of the INC acknowledged that the interim arrangement might not be ideal for all countries, but said it is a good start for the interim period. She asked the Conference to accept the interim arrangements, but have it reflected in the record that several delegations expressed concern on various issues and intend to bring them before the INC or the COP, where they will have to be addressed. Pronk said that discussion of the interim arrangements would be better dealt with under the agenda item dealing with the adoption of resolutions.

ADOPTION OF RESOLUTIONS

INC Chair Rodrigues then presented the draft resolution on interim arrangements (UNEP/FAO/PIC/CONF/4) and the President reminded delegates of the three information documents concerning the location of the Secretariat (UNEP/FAO/PIC/INF/1, UNEP/FAO/PIC/INF/2, and UNEP/FAO/PIC/INF/3) provided by Germany, Italy, and Switzerland, respectively. GERMANY called for amending paragraph 12 of the draft resolution, adding a clause that the Conference would decide to establish the interim Secretariat in Bonn. The Swiss and Italian proposals would maintain the "status quo" of keeping the interim Secretariat jointly in Rome and Geneva. ITALY said it would be willing to discuss the issue with Germany.

To text on the interim arrangement calling on States and regional economic integration organizations (REIOs) to provide technical assistance to developing countries, IRAN proposed adding financial

assistance. IRAN also requested addition of text calling on States to assist in facilitating the exchange of scientific, technical, economic and legal information, as specified in Article 14.1(a) of the Convention. The GAMBIA stressed the necessity of financial assistance for the effective functioning of the Convention. CANADA opposed changes to the negotiated text and said the proposed changes should be properly addressed at a future stage.

Rodrigues proposed that a Friends of the Chair group meet to resolve the issue of the proposed amendments to the draft resolution. Pronk asked Rodrigues if she would chair such a group. SWITZERLAND noted its proposal concerning location and arrangement of the Secretariat and said a solution in the Friends of the Chair group would have to be close to the text. The US supported CANADA on the text having been negotiated and agreed any change would have to be extremely minor. SWEDEN stressed that any substantive changes would unbalance the whole process and suggested that statements of proposed changes be recorded in the minutes of the meeting and that a statement from the Chair of the INC could indicate that the matters would be considered in the future. The EU said it opposed amending the draft resolution and hoped the Friends of the Chair could find another way to address the proposed amendments.

Rodrigues urged the President to give the Friends of the Chair a narrow mandate limited only to consideration of the two relevant paragraphs and to this end proposed that the other paragraphs of the draft resolution be adopted. IRAN stressed that there were substantive issues to be settled, and while agreeing that only the two paragraphs would be discussed, said the resolution must not be adopted in part but as a whole package. Pronk stressed the critical nature of the interim arrangements to the operation of the Convention, underscored the narrow mandate of the group and called on the group to accommodate countries' concerns without amending the text.

After the Friends of the Chair met twice, Rodrigues gave a final report, noting that delicately balanced compromises were made with respect to the proposed amendments. She reported no changes to the text on interim arrangements. She did however introduce a new draft resolution concerning the Secretariat (UNEP/FAO/PIC/CONF/CRP.2). She also reported that an appendix would be added to the Final Act to reflect concerns expressed by the African Group and other delegations with respect to technical and financial assistance and information exchange.

The draft resolution on interim arrangements was then adopted. It describes what the Conference decided and agreed will take place during the interim between the signing of the Convention and the first Conference of the Parties (COP). It states that the interim PIC procedure will cease to operate on a date to be specified by the COP at its first meeting. The resolution brings the voluntary or "original" procedure in line with the procedure established by the Convention and refers to the new procedure as the "interim PIC procedure." It invites UNEP and the FAO to convene further INCs during the interim period, as necessary, to oversee the operation of the interim PIC procedure. It invites the INC: to establish an interim subsidiary body to carry out the functions that will be permanently be entrusted to the Chemical Review Committee to be established under the provisions of Article 18.5; and to adopt on an interim basis the procedures for banned or severely restricted chemicals, as outlined in Article 5.1. The resolution further states that chemicals for which Decision Guidance Documents (DGDs) were circulated during the original procedure are subject to the interim procedure and that those identified for inclusion, but for which DGDs have not yet been circulated, will become subject to the



interim procedure as they are adopted by the INC. The interim arrangement makes provisions for the INC to decide on the inclusion of any additional chemicals under the interim PIC procedure in accordance with Articles 5, 6, 7 and 22 of the Convention.

The Conference also decided that nominations of designated national authorities, notifications of control actions and import responses made under the original PIC procedure shall remain in effect under the interim PIC procedure and requested that UNEP and FAO provide secretariat services for the operation of the interim procedure.

The resolution appeals to States and REIOs to make voluntary contributions to the trust fund established by UNEP in order to support the interim arrangement and to ensure the full and effective participation of developing countries and countries with economies in transition. Finally, the resolution calls on developed States and REIOs to provide technical assistance, including training, to developing countries for development of infrastructure and capacity to manage chemicals throughout their life-cycle.

The draft resolution concerning the secretariat was also adopted. It invites more detailed information with respect to the proposals from Germany, Switzerland and Italy. It also notes that under Article 19.3 of the PIC Convention, arrangements agreed between FAO and UNEP in their joint performance of secretariat functions are subject to approval by the COP. The resolution calls upon the Director-General of the FAO and the Executive Director of UNEP to consider the offers jointly along with any other offers and to prepare, in consultation with the INC, a comparative analysis for consideration at the first COP.

SENEGAL then introduced a draft resolution paying tribute to the Government of the Kingdom of the Netherlands (UNEP/FAO/PIC/CONF/CRP.1), which thanks both the Kingdom and the authorities of Rotterdam for providing facilities, premises and other resources. This draft resolution was adopted.

ADOPTION OF THE FINAL ACT OF THE CONFERENCE

The President then introduced the Final Act of the Conference (UNEP/FAO/PIC/CONF/L.1/Rev.1), noting that it is the formal record of the Diplomatic Conference. It includes, *inter alia*, the mandate for the negotiations, a list of all relevant meetings, a report of the Conference, the names of elected officers, the provisional agenda and a record of the adoption of the Convention, which, will remain open for signature from 12 September 1998 to 10 September 1999 at UN Headquarters in New York. He stressed that signing the Final Act does not commit governments to the PIC Convention. To the section referring to resolutions appended to the Final Act, he added text to indicate that serious concerns expressed by several delegations are recorded in a President's statement to be appended to, although not part of, the Final Act. The conference adopted the Final Act.

The President then read the Appendix to the Final Act. The Appendix recognizes the concerns expressed by the African Group and several other delegations regarding technical and financial assistance necessary for the implementation of the Convention as well as for the interim period. It also states that information exchange during the period should cover scientific, technical, economic and legal information concerning chemicals within the scope of the PIC Convention and that the subsequent INCs could address these concerns. It recognizes the offers of financial and technical assistance made by countries to promote sustainable management of chemicals during the interim period. It also mentions the African Group's urging to consider issues such as dispute settlement, illicit trafficking, and responsibility and

liability. The text notes that the President of the Conference said these issues may be more appropriately dealt with by the INC, prior to the Convention's entry into force, and by the COP, after entry into force.

SIGNATURE OF THE FINAL ACT AND THE CONVENTION

At 1:00 pm on 11 September, both the Final Act and the Convention were opened for signature. Vice President Antonio H. Cerilles took the position of President during the signing ceremony. Gerald Moore (Legal Counsel, FAO) called on each country to sign the Final Act and the Convention. Executive Secretaries of the Conference Niek van der Graaff (FAO) and Jim Willis (UNEP) presided over the signing of the Final Act of the Conference and the Convention. During the official signing ceremony 75 countries signed the Final Act and 59 countries signed the Convention.

The following countries signed both the Final Act and the Convention: Argentina, Armenia, Austria, Barbados, Belgium, Benin, Brazil, Burkino Faso, Cameroon, Chad, Colombia, Congo, Côte d'Ivoire, Cuba, Cyprus, Denmark, Ecuador, European Community, Finland, the Gambia, Germany, Ghana, Greece, Haiti, Indonesia, Italy, Jamaica, Kenya, Kuwait, Luxembourg, Madagascar, Mali, Mongolia, Namibia, Netherlands, New Zealand, Norway, Panama, Paraguay, Peru, Philippines, Portugal, Rwanda, Senegal, Seychelles, Slovenia, Spain, Sudan, Suriname, Sweden, Switzerland, Syria, Tunisia, Turkey, United Kingdom, United Republic of Tanzania, United States, Uruguay and Yemen.

The following countries signed only the Final Act: Albania, Angola, Australia, Canada, China, Hungary, India, Israel, Japan, Republic of Korea, Malawi, Poland, Saint Lucia, Singapore, South Africa and Uganda.

Both the Final Act and the Convention remained open for signature until the official closure of the Conference, and at closure 78 countries had signed the Final Act and 61 countries had signed the Convention.

CLOSURE OF THE CONFERENCE

Ministers and officials of countries then addressed the Conference. The majority of speakers expressed their gratitude to the Government of the Kingdom of the Netherlands and the city of Rotterdam for their hospitality, thanked INC Chair Maria Celina de Azevedo Rodrigues for her leadership and hard work, and commended the FAO and UNEP for their successful collaborative efforts in bringing the PIC Convention to fruition.

CAMEROON: Sylvestre Naah Ondoa, Ministre de l'Environnement e des Forets, said the international cooperation envisaged in Agenda 21 and at the 19th session of the UNEP Governing Council is taking root with the adoption of the PIC Convention. He highlighted the potential of the PIC procedure to protect human health and the environment and to promote sustainable development. He stressed Cameroon's determination to integrate the PIC measures into its national policy, but stressed the need for financial resources to achieve this. He called for the integration of a financial mechanism into the Convention.

EUROPEAN COMMISSION: Commissioner Ritt Bjerregaard said adoption of the PIC Convention is a key step in ensuring implementation of the Rio Conference, particularly Chapter 19 of Agenda 21. She said objectives and obligations of multilateral environmental agreements (MEAs) should not be hampered by other international agreements, and that WTO rules, provisions and procedures must take full account of the need to promote a high level of environmental protection. Beyond the adoption and signing of the Convention, she also stressed: its entry into force and the modification of existing legis-



lation in order to ratify it; implementation of the Convention and regular updates of the list of PIC chemicals through sound decisions based on risk; cooperation with industry and NGOs; and capacity building in developing countries.

EUROPEAN UNION: Martin Bartenstein, Austrian Minister for the Environment, Youth and Family Affairs, speaking as President of the Council of the European Union, recalled Agenda 21's call for global instruments to ensure the environmentally sound management of toxic chemicals, including prevention of illegal international traffic in toxic and dangerous products. He emphasized balance between MEAs and other international agreements, noted that the PIC Convention will raise awareness, and stressed that decision guidance documents will ensure transparency and reliability of the process. He said shared responsibility represents: global cooperation; strengthening capabilities for identification, management and reduction of risks; improved access to information; and strengthening regulatory capacities. He highlighted PIC's broad-based approach involving risk reduction options as well as precautionary measures. He also highlighted the future POPs convention, underscoring the importance of efficient instruments to ensure that national borders do not present obstacles to tackling global problems.

DENMARK: Svend Auken, Minister for Environment and Energy, said the Convention is a landmark in international efforts to protect the world population from hazards from chemicals, stressed the insufficient knowledge of effects of chemicals on health and the environment and stressed that sharing knowledge internationally is a moral obligation for the scientific community, private companies and national administrations. He highlighted information exchange, capacity building, technology transfer to developing countries, rapid ratification, and implementation through commitment from governments and the chemical industry. He expected the PIC list to double in size in a few years and called on participating countries to "feed" the PIC system with new substances by informing the Secretariat about those that cause health and environmental problems. He emphasized responsible care by industry and noted that further measures beyond PIC and POPs should include handling obsolete stocks, improving user information, training workers in the safe use of chemicals and building capacity to regulate production, trade and use of chemicals. He stressed working towards a framework convention on chemicals and said MEAs should not be hampered or restricted by WTO rules.

KENYA: Francis Nyenze, Minister for Environmental Conservation, noted the potential of pesticides and industrial chemicals to control disease and increase crop production, and said trade in such chemicals is likely to increase, particularly in developing countries. He expressed concern regarding the release of potentially hazardous new compounds and formulations into the environment, stressing the need to prevent their destructive effects. He emphasized information exchange and national decision making on exports and imports under the Convention and highlighted a forthcoming environment management law in Kenya that takes into account the PIC Convention. He identified enforcement capacity as Kenya's main constraint and called for technical assistance to developing countries, as outlined in Article 16 of the Convention.

GERMANY: Erhard Jauck, State Secretary, Federal Ministry for the Environment, Nature Conservation and Nuclear Safety, said the interim procedure heralds the start of a new era and illustrated, through usage of WHO statistics on poisoning from pesticides, that an international chemicals management infrastructure is critical. He lauded the PIC Convention as a significant first step. He highlighted the key goal

of the Convention to support the establishment of an appropriate infrastructure to manage chemicals in developing countries, and said recipient countries must be notified of import and reasons leading to an exporting country's restriction of a chemical. He said Germany has earmarked DM 2.5 million to support projects in developing countries aimed at creating such infrastructures.

RWANDA: Dr. Augustin Iyamuremye, Ministre d'Agriculture, de l'Elevage, de l'Environnement, et du Development Rurale, acknowledged the need to use pesticides for food production, particularly in Africa, and hoped that the PIC Convention would encourage and facilitate an increase in agricultural production without threatening the environment or public health. He hoped the PIC Convention would open a new era for international cooperation.

AUSTRALIA: Amb. Ian Forsyth, Embassy of Australia in Turkey, regretted not being able to sign the Convention and said signature was still under consideration. He said the PIC negotiations have achieved a balanced transparent framework to manage chemicals in international trade by enabling countries to take decisions on the importation of hazardous chemicals based on scientific evidence and by establishing a network through which developed countries give special assistance to manage trade in these chemicals. He emphasized that responsibility still lies with the national governments. On relationships with other agreements, he opposed a hierarchy between MEAs and trade agreements, noting that WTO agreements should not be regarded as detrimental to the environment.

SWITZERLAND: Dr. Philippe Roch, Secretary of State, Director of the Swiss Agency for the Environment, Forests and Landscape, stressed the need for globalization of health rules in order to promote the benefits of development in a sustainable manner. He urged developed and developing countries to share technology and know-how in order to ensure effective implementation of the PIC Convention. He said synergies between organizations with related goals are best achieved in cities where such organizations are located and supported keeping the Secretariat in both Geneva and Rome.

SENEGAL: Souty Touré, Ministre de l'Environnement et de la Protection de la Nature, was encouraged by progress made in the management of chemicals. He said this progress would enable streamlining of chemicals and pesticides management. He also hoped for additional financial and technical assistance from the international community and underscored his country's full commitment to observing the adopted provisions.

BRAZIL: Amb. Vera Pedrosa Martins de Almeida, Embassy of Brazil in the Netherlands, stressed the importance of the PIC procedure in enabling countries that cannot safely manage certain chemicals to refuse importation. She said the system will allow better control of exports and will reduce risks. She said signature of the treaty honors the commitment governments made at the Rio Earth Summit, but stressed that trade and environmental policies should be mutually supportive in achieving sustainable development.

UNITED STATES: Rafe Pomerance, Deputy Assistant Secretary of State for Environment and Development, highlighted the PIC Convention's principle of shared responsibilities of both importing and exporting countries in the safe management of chemicals in trade. He stressed that effectiveness of government safeguards is largely dependent on industry and that companies need to exercise leadership to identify unmanageable risks, promote safe stewardship of their products through the life cycle of a chemical, and practice pollution prevention. He urged designated national authorities to use information made available through the PIC Convention in a careful and timely manner.



Exporting countries will need to put mechanisms in place to enable fulfillment of commitments under the agreement. He announced a US\$500,000 grant to UNEP to assist in the implementation of the interim PIC process and, in particular, to help countries take advantage of the tools PIC has to offer. He stressed cooperation with other agreements, and, in this regard, underscored implementing the Convention so as to harmonize it with other conventions. He made specific reference to text in the Convention's preamble addressing the relationship with other international agreements, particularly trade agreements.

CHINA: Wang Zhijia, Director-General, Department of International Cooperation, State Environmental Protection Administration, said this was a historic moment that deserved celebration. He expressed satisfaction that in the search for sustainability, another positive step had been taken and he hoped the PIC Convention would solve food and pest control problems.

JAPAN: Amb. Tadashi Ikeda, Embassy of Japan in the Netherlands, paid tribute to the collaborative efforts of the participating countries over the negotiation period and noted the work underway to negotiate a POPs convention. He stressed the importance of chemical risk control, as recognized in Chapter 19 of Agenda 21. He said the PIC Convention was the first step in a process of further international information exchanges and said Japan would provide full support for further sustainable development efforts in that direction.

REPUBLIC OF KOREA: Amb. Young-Shik Song, Embassy of the Republic of Korea in the Netherlands, said that due to procedural delays, he could not sign the PIC Convention, but he reaffirmed his country's commitment to its objective and continued observance of the voluntary PIC procedure. He underscored the importance of the transfer of environmentally sound technology and assistance to developing countries in strengthening capacity to comply with the Convention. He hoped the Convention would help build capacity in the environmentally sound management of chemicals and help avert illicit trafficking.

SWEDEN: Amb. Bo Kjellén, Ministry of the Environment, noted the important role that chemicals play, but also stressed the need for control and international regulation. He said the Rio Conference, specifically Chapter 19 of Agenda 21, helped bring chemical management into the global arena. He highlighted the precautionary approach and the use of substitutes in achieving chemical safety. He said both chemical use and control are critical for the future, highlighting their crucial role in ensuring food security and controlling disease, while acknowledging their hazardous effects. He said chemical control is a central challenge for the international community in years to come. Looking towards 2000, he hoped for a speedy and successful conclusion to negotiations on a POPs convention and welcomed countries to Stockholm for the Diplomatic Conference.

BANGLADESH: Amb. Gyash Uddin, Embassy of Bangladesh in the Netherlands, emphasized that chemical use would increase to meet the growing demand for food and consumer goods. Aware of the harmful impact of increasing chemical use and to promote environmentally sound management of chemicals, he said Bangladesh has initiated a chemical safety promotion programme and enacted relevant laws. He stressed difficulties in identifying hazardous contents of certain chemicals because of an absence of technology and proper laboratory facilities, and called for financial and technical support for the environmentally sound management of chemicals.

CANADA: Ambassador for the Environment John Fraser said the PIC Convention is a significant step to reduce risks associated with international trade in certain chemicals and pesticides, but emphasized

that work has just begun. He stressed that countries will need to establish or modify their legislation and set up the necessary infrastructure to implement the Convention. He hoped Canada's future adherence to the Convention will result in Canadian information and expertise being shared around the world regarding science, toxicity, controls and legislation. He also stressed Canada's efforts in and the value of harmonizing the processes used to regulate pest control products. He highlighted the Convention's preambular clauses relating to international trade agreements and stressed that the Convention does not affect the rights and obligations of parties under other agreements. He hoped that Canada would sign the PIC Convention later this year, and said it would be providing financial contributions for interim arrangements.

INDIA: Vinod Vaish, Special Secretary, Ministry of Environment and Forests, regretted not being able to sign the PIC Convention due to procedural delays, but was pleased that the interim arrangements bring into effect the key elements of the Convention. He called for the building of infrastructure and capacity in developing countries to ensure implementation, particularly the building of testing facilities and risk assessment capabilities. He thanked those countries who offered assistance to developing countries.

TURKEY: Dr. Ilker Basaydin, Under-Secretary, Ministry of Environment, said the PIC Convention is a milestone in the effective management of chemicals and was pleased with the strong presence of international organizations, UN specialized agencies and NGOs at the Conference. He said the Convention will be an important tool for implementing Turkey's control measures and building infrastructure for chemical management.

ARGENTINA: Amb. Alberto L. Daverede recalled Chapter 19 of Agenda 21, stressed the PIC Convention's intimate link to sustainability, and emphasized that sustainable agriculture remains a great challenge for the future. He highlighted the importance of commercial competitiveness in addition to protecting health and the environment. He also stressed that commercial and environmental initiatives should remain transparent.

NEW ZEALAND: Amb. Hilary Willberg, Embassy of New Zealand in the Netherlands, said the PIC Convention is practical and well balanced, realistic in its objectives and scope, and will offer a powerful tool to sustainable chemicals management. Referring to the trade issues raised by other speakers, she expressed satisfaction that the Convention's preamble did recognize important principles, including the safeguarding of other conventions. She assured New Zealand's full cooperation throughout the interim period.

TUNISIA: Ben Aissa Noureddine, Directeur de l'Environnement Industriel, Ministère de l'Environnement e de l'Amenagement du Territoire, said the PIC Convention should play a supplementary role to other conventions. He said his country would strive to ratify the Convention in order to play a part in international efforts to fight the detrimental impact of chemicals and to ensure sustainable management while taking into account development needs. He emphasized the need for financial and technical assistance from industrialized countries to help promote capacity building.

SYRIA: Amb. Hani Habeeb, Embassy of the Syrian Arab Republic in Belgium, expressed his belief that the PIC Convention will help protect the environment and human health. He stressed the importance of financial and technical assistance to developing countries and, on behalf of the Arab Group, thanked the Netherlands for its hospitality.



PHILIPPINES: Antonio H. Cerilles, Secretary of Environment and Natural Resources, said the adoption of the PIC Convention is a symbol of countries' commitment to assist each other in the sustainable protection of the environment. He said the signing of the Convention gives life to the spirit of Agenda 21. The Convention's adoption should be considered the beginning of practically applying the work of protecting the environment, while also recognizing the value of chemicals and pesticides in increasing agricultural productivity. He said the Convention should pave the way to assist developing countries to obtain correct and adequate scientific and technical information about hazardous chemicals and pesticides. He underscored the importance of financial and technical assistance for and training and capacity building in developing countries, particularly in the case of those whose economies are largely dependent on agriculture. He thanked the Netherlands and the US for their offers of assistance and hoped that others would follow their example. He expressed confidence that the interim arrangements will constitute an important bridge until the convening of the COP.

Speaking on behalf of Jan Pronk, a representative from the Netherlands made apologies for the President's quick exit due to urgent obligations in The Hague. He thanked the FAO and UNEP for organizing the Diplomatic Conference and wished all delegates an enjoyable stay in the Netherlands and a safe journey home.

The Secretariat congratulated delegates on bringing the conference to a successful close and thanked everyone for their hard work and dedication over the past two years. He also thanked those countries making offers of financial assistance.

In closing, Vice President Cerilles said the signing of the PIC Convention is a step towards a better world. He thanked the Netherlands, the city of Rotterdam, all participants, the Secretariat, the interpreters and the silent workers who made the Conference possible. The Diplomatic Conference was declared closed at 5:20 pm.

THINGS TO LOOK FOR

23RD JOINT MEETING OF THE FAO PANEL OF EXPERTS ON PESTICIDE RESIDUES IN FOOD AND THE ENVIRONMENT AND THE WHO EXPERT GROUP ON PESTICIDE RESIDUES (JMPR): This meeting will be held from 21 September-1 October 1998 in Rome. For more information contact: Gerold Wyrwal, FAO; tel: +39 (6) 5705 2753; fax: +39 (6) 5705 6347; e-mail: Gerold.Wyrwal@fao.org

EIGHTH MEETING OF THE PESTICIDE FORUM: This meeting will be held in Paris from 2-3 November 1998. The meeting will be held jointly with the 28th Joint Meeting of the Chemicals Group and Management Committee. For information contact: Nicky Grandy; OECD; tel: +33 (1) 45 24 16 76; fax: +33 (1) 45 24 16 75; e-mail: nicola.grandy@oecd.org

SEVENTH MEETING OF THE EXPERT GROUP ON CHEMICAL ACCIDENTS: This meeting will be held from 2-4 December 1998 in Paris. For information contact: Peter Kearns, OECD; tel: +33 (1) 45 24 16 77; fax: +33 (1) 45 24 16 75; e-mail: peter.kearns@oecd.org

INTERGOVERNMENTAL FORUM ON CHEMICAL SAFETY: The Third Meeting of the Intersessional Group (ISG-3) will be held from 1-4 December 1998 in Yokohama, Japan. Brazil will forward its decision to host FORUM III, scheduled for late 2000, to the IFCS as soon as possible. The Plenary also agreed tentatively to hold ISG-4 in 2002. For information on these meetings, contact the IFCS

Secretariat, World Health Organization, CH-1211 Geneva 27, Switzerland; tel: +41 (22) 791 3650/4333; fax +41 (22) 791 4875; e-mail: ifcs@who.ch; Internet: <http://www.who.ch/whosis/ifcs/ifcshome.htm>.

SECOND MEETING OF THE POPS INC: The Second Meeting of the Intergovernmental Negotiating Committee for POPs is tentatively scheduled for 7-12 February 1999 in Geneva. For more information contact: UNEP Chemicals (IRPTC), tel: +41 (22) 979-9111; fax: +41 (22) 797- 3460; e-mail: jwillis@unep.ch; Internet: <http://irptc.unep.ch/pops/>. Or contact: FAO, tel: +39 (6) 5705 3441; fax: +39 (6) 5705 6347; e-mail: Niek.Vandergraaff@fao.org; Internet: <http://www.fao.org/ag/agp/agpp/pesticide/pic/pichome.htm>.

PIC INC MEETING: The next PIC INC meeting will be held in early 1999 to begin work during the interim period between the signing of the PIC Convention and its entry into force. The date is still to be confirmed. For more information contact: UNEP Chemicals (IRPTC), tel: +41 (22) 979-9111; fax: +41 (22) 797- 3460; e-mail: jwillis@unep.ch; Internet: <http://irptc.unep.ch/pic/>. Or contact: FAO, tel: +39 (6) 5705 3441; fax: +39 (6) 5705 6347; e-mail: Niek.Vandergraaff@fao.org; Internet: <http://www.fao.org/ag/agp/agpp/pesticide/pic/pichome.htm>.

THE 13TH SESSION OF THE FAO GROUP ON REGISTRATION REQUIREMENTS OF THE PANEL OF EXPERTS ON PESTICIDE SPECIFICATIONS, REGISTRATION REQUIREMENTS, APPLICATION STANDARDS AND PRIOR INFORMED CONSENT, GROUP ON REGISTRATION REQUIREMENTS: This meeting will be held from 7-11 June 1999 in Rome and will produce recommendations on procedures for the preparation and revision of guidelines and increased transparency and recommendations for the revision of the International Code of Conduct on the Distribution and Use of Pesticides. The 14th Session of the Panel of Experts on Pesticide Specifications, Registration Requirements, Application Standards and Prior Informed Consent Group on Registration Requirements will be held from 14-17 June 1999. For information contact: Gerold Wyrwal, FAO; tel: +39 (6) 5705 2753; fax: +39 (6) 5705 6347; e-mail: Gerold.Wyrwal@fao.org.

GOVERNMENT CONSULTATION ON THE REVISION OF THE FAO CODE OF CONDUCT ON DISTRIBUTION AND USE OF PESTICIDES: This meeting will be held from 2-6 October 2000 in Rome and will consider the draft revised FAO Code of Conduct on Distribution and Use of Pesticides. For more information contact: Niek Van der Graaff, FAO; tel: +39 (6) 5705 3441; fax: +39 (6) 5705 6347; e-mail: Niek.VanderGraaff@fao.org.