



**REPORT OF THE SIXTH SESSION OF THE INC  
FOR AN INTERNATIONAL LEGALLY BINDING  
INSTRUMENT FOR THE APPLICATION OF THE  
PRIOR INFORMED CONSENT PROCEDURE FOR  
CERTAIN HAZARDOUS CHEMICALS AND  
PESTICIDES IN INTERNATIONAL TRADE:  
12-16 JULY 1999**

The sixth session of the Intergovernmental Negotiating Committee (INC-6) for an international legally binding instrument for the application of the prior informed consent (PIC) procedure for certain hazardous chemicals and pesticides in international trade was held from 12-16 July 1999 in Rome. The first meeting since the adoption of the Rotterdam Convention, INC-6 gathered approximately 300 delegates from 121 countries to address arrangements for the interim period prior to entry into force of the Convention and implementation of the interim PIC procedure. INC-6 resulted in the adoption of outline draft decisions on the definition and provisional adoption of PIC regions, the establishment of an interim Chemical Review Committee (ICRC) and the adoption of draft decision guidance documents (DGDs) for already identified chemicals. Delegates also considered the activities of the Secretariat during the interim period and their budgetary implications, preparations for the Conference of the Parties (COP), the status of signature and ratification of the Convention, the location of the Secretariat and issues arising out of the Conference of Plenipotentiaries, including support for implementation, dispute settlement, illicit trafficking, and responsibility and liability.

The resolution on interim procedures, adopted along with the Convention at the Conference of the Plenipotentiaries, allowed the INC to continue work on the modalities of operating the COP and has positioned the Convention for a "fast start." The success of INC-6 should provide a strong foundation for bringing the voluntary PIC procedure in line with the procedure as set out in the Convention and for encouraging ratification of the Convention.

**A BRIEF HISTORY OF THE PIC PROCEDURE**

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 Food and Agriculture Organization (FAO) and the London Guidelines for the Exchange of Information on Chemicals in International Trade by the United Nations Environment Programme (UNEP). Both the Code of Conduct and the London Guidelines include procedures aimed at making information about hazardous chemicals more readily available, thereby permitting countries to assess the risks associated with their use.

In 1989, both instruments were amended to include the voluntary 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 voluntary PIC procedure provided a means for formally obtaining and disseminating the decisions of importing countries on whether they wish to receive future shipments of such chemicals. The procedure aimed 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 was designed to:

- 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.

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At the United Nations Conference on Environment and Development (UNCED) held in Rio de Janeiro in 1992, delegates recognized that while the use of chemicals is essential to meet social and economic goals, a great deal remains to be done to ensure their sound management. UNCED adopted Agenda 21, which contains, in Chapter 19, an international strategy for action on chemical safety and 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, authorizing the Executive Director to convene, with the FAO, an intergovernmental negotiating committee (INC) mandated 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 initially scheduled for 1997.

**INC-1:** The first session of the INC was held from 11-15 March 1996 in Brussels. More than 194 delegates from 80 governments, the European Commission (EC), 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 met from 16-20 September 1996 in Nairobi and produced a draft text of the Convention. Delegates 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.

**INC-3:** The third session of the INC convened from 26-30 May 1997 in Geneva. Delegates from 102 countries considered the revised text of draft articles for the instrument and proposals from several delegations. Considerable debate centered on the scope of the proposed Convention.

**INC-4:** Delegates from over 100 countries attended the fourth session of the INC (INC-4) from 20-24 October 1997 in Rome. INC-4 considered the revised text of draft articles for the instrument, as well as proposals by the US and EC.

**INC-5:** The fifth session of the INC (INC-5) was held from 9-14 March 1998 in Brussels. Delegates from over 95 countries made progress on a consolidated draft text of articles. INC-5 reached agreement on the draft text of the PIC Convention and the draft resolution on interim arrangements.

**THE DIPLOMATIC CONFERENCE OF THE PLENIPOTENTIARIES:** The Conference of the Plenipotentiaries on the Convention on the PIC procedure was held from 10-11 September 1998 in Rotterdam. Ministers and senior officials from nearly 100 countries adopted the Rotterdam Convention, the Final Act of the Conference and the resolution on interim arrangements. Sixty-one countries signed the Convention and 78 countries signed the Final Act. The PIC Convention will initially cover 22 pesticides and five industrial chemicals, but it is expected that many more chemicals will be added as the provisions of the Convention are implemented.

The resolution on interim arrangements provides for continued implementation of the voluntary PIC procedure during the interim period, in line with the new procedures contained in the Convention.

The resolution invites UNEP and the FAO to convene further INCs during the interim period to oversee the operation of the interim PIC procedure. Chemicals for which DGDs were circulated during the original procedure are subject to the interim procedure. Those chemicals identified for inclusion, but for which DGDs had not been circulated, are subject to the interim procedure, once adopted by the INC. The resolution invites the INC to: establish an interim subsidiary body to carry out the functions that will be permanently entrusted to the Chemical Review Committee (CRC); define and adopt PIC regions on an interim basis; adopt, on an interim basis, the procedures for banned or severely restricted chemicals; and decide on the inclusion of any additional chemicals under the interim PIC procedure.

### INC-6 REPORT

Chair Maria Celina de Azevedo Rodrigues (Brazil) opened INC-6 and invited David Harcharik, Deputy Director-General of FAO, to deliver a welcoming statement. Harcharik voiced great pleasure in welcoming delegates to the first INC since the adoption of the Rotterdam Convention. He noted that the voluntary PIC procedure would be brought in line with the Convention and that it will continue on a voluntary basis until the Convention enters into force. He drew attention to undernourishment and population growth in developing countries and underscored the need to improve production of and access to food. He called for the responsible use of pesticides and for promotion of non-chemical alternatives such as integrated pest management. He also noted the need to improve the infrastructure for controlling toxics and awareness building in developing countries and emphasized developing countries' need for assistance in implementing the Convention. He urged ratification of the Convention and wished delegates a successful meeting.

Jim Willis, Director of UNEP Chemicals, welcomed delegates to INC-6 on behalf of UNEP Executive Director Klaus Töpfer. Willis remarked that the Rotterdam Convention would improve upon the voluntary PIC procedure and offer greater protection of human health and the environment. He said the resolution on interim arrangements provides for a "fast start" to the Convention and a test period for determining how it will operate once in force. He stressed that while this is a meeting of the INC, the aim is to identify how the Convention will operate and not to negotiate. He hoped that decisions taken during the interim period would be adopted by the first COP. He asked delegates to build upon the success achieved at Rotterdam and to maintain the spirit of cooperation that marked the negotiations.

Chair Rodrigues introduced and the Plenary adopted the provisional agenda (UNEP/FAO/PIC/INC.6/1/Rev.1). Rodrigues, noting uncertainty over availability of resources necessary to convene INC-7, emphasized the need to work in a fast and constructive manner to approve the programme of work and mechanism for funding. She underlined that the successful operation of the Convention during the interim period depends on the approval of the Secretariat's programme of work and the provision of necessary funding. She trusted that delegates would bear this in mind throughout the week and arrive at a solution for funding the interim PIC procedure.

Delegates convened in nine Plenary sessions during the week. A contact group on the interim Chemical Review Committee (ICRC), chaired by Reiner Arndt (Germany), was established and held four sessions on Tuesday and Wednesday, 13-14 July.

### INTERIM ACTIVITIES OF THE SECRETARIAT AND FUNDING

On Monday, 12 July, Jim Willis introduced activities of the Secretariat in the interim period and review of the situation as regards the trust fund (UNEP/FAO/PIC/INC.6/3). He noted that the INC might



wish to make recommendations on the activities of the Secretariat and the proposed allocation of funds and decide on the mobilization of extrabudgetary funds during the interim period. He highlighted the Secretariat's work in support of the operation of the interim PIC procedure, including procedures and recent letters sent to States. He noted the Secretariat envisages one session each of the INC and the ICRC each year during the interim period, with locations alternating between Rome and Geneva, and highlighted preliminary cost estimates for five-day sessions of the INC and ICRC. He pointed out the option of using the voluntary PIC procedure expert group as a model for costing the ICRC. On facilitation of implementation and ratification, he highlighted an FAO regional workshop held in Bangkok from 8-11 December 1998 to help Designated National Authorities (DNAs) understand their roles and responsibilities in order to facilitate implementation of the Convention. He also noted preliminary cost estimates for facilitating implementation and ratification, including seven more such regional workshops. He further identified cost estimates for office automation and upgrading databases, core Secretariat costs and a summary of financial requirements for 1999.

With regard to the trust fund, he highlighted total contributions as of April 1999 just over US\$3 million, further pledges, status of expenditures and obligations in support of the INC and the Secretariat, and estimated costs and allocated amounts for 1999 and 2000. He underscored the need for a predictable process with predictable funding and stressed the importance of having regular INCs and ICRCs in order to facilitate implementation of the Convention.

Chair Rodrigues opened the floor for general questions and comments. CHINA questioned why the conference-servicing cost estimate for an ICRC meeting was based on interpretation for three languages. Rodrigues explained that the estimate was based on the tradition of the voluntary PIC procedure expert group and remarked that conducting meetings in six languages would be more than twice as costly. The RUSSIAN FEDERATION supported the possibility of reducing the number of languages for interpretation as long as final documents would be translated into the six UN languages. SUDAN said the UN principle of equal treatment must be observed or only English should be used. On the cost estimate for an INC, Willis clarified that the travel support estimate for 50 countries may increase and that funds may be freed up to support further participation from developing countries. PAKISTAN called for further funding for training in developing countries. The UKRAINE indicated willingness to host an Eastern European workshop.

Willis noted the lack of resources for additional workshops this year. Rodrigues said that, due to budget limitations, establishment of interim mechanisms should take priority over workshops on ratification.

The EU said priority should be placed on developing a relationship with the World Customs Organization (WCO) and updating existing DGDs, and called for combined workshops with other processes and organizations in order to maximize resources. The RUSSIAN FEDERATION indicated cost saving possibilities through promoting access to information held by countries of the former Soviet Union. Supporting cost saving ideas, Willis emphasized that DNAs should be the first audience to be engaged. The PHILIPPINES called for more financial pledges from countries able to contribute. The US underscored the importance of capacity-building, making financial contributions and establishing institutions during the interim period in order to build confidence in an effective, binding and credible Convention. The EU highlighted the need to distinguish between the budget for core imple-

mentation and for facilitation of the Convention. BARBADOS underscored the need to identify funding to carry the process forward and asked if any other sources could be readily identified.

Rodrigues cautioned that if the INC did not identify sources of funding other than UNEP and FAO for the interim period, UNEP and FAO would need more contributions, otherwise funding would be diverted from other programmes. Alternatively, she said delegates could decide upon and commit to another mechanism to provide funding. She underscored that there would not be a working Convention without a regular financing mechanism. Willis said the Convention will need to be self-sustaining and hoped the interim period would allow for experimentation with models that could be used once the Convention enters into force. COLOMBIA noted the need for funding commitments from delegations. She emphasized that the budget is not inflated and that focus of discussion should be on whether governments are going to make commitments. CAMEROON supported COLOMBIA and suggested that the Secretariat study options for funding mechanisms to be considered at INC-7. The UK, JAPAN and FRANCE announced funding contributions.

On Thursday, 15 July, Willis noted that a number of the INC's decisions, including those on interpretation for and attendance at the ICRC, would change the initial cost estimates in the Secretariat document. He proposed annexing a revision of the costs to the meeting's report. Stressing the urgent need for financial resources, he proposed postponing INC-7, initially scheduled for April/May 2000, to October/November 2000 to ease the cash flow crisis and to alleviate the time pressure on the ICRC. He also called for a broader base of funding as opposed to the past practice of relying on a limited number of funders. The final report notes the INC agreed that establishing an ICRC was a first priority and that the second priority was holding implementation and ratification workshops, subject to available resources.

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

Delegates considered four topics with regard to implementation of the interim PIC procedure: the establishment of PIC regions; establishment of the ICRC; the adoption of DGDs for already identified chemicals; and inclusion of chemicals in the interim PIC procedure.

**ESTABLISHMENT OF PIC REGIONS:** On Monday, 12 July, Niek Van der Graaff (FAO) introduced the document on the definition and provisional adoption of PIC regions (UNEP/FAO/PIC/INC.6/5). The document notes that COP-1 will decide on PIC regions and recalls that the resolution on interim arrangements invited the INC to develop the decision on PIC regions based on the FAO regions and to adopt it on an interim basis. The document lists the FAO member States by region as well as non-FAO States. The EC, supported by CANADA and VENEZUELA, proposed adding the non-FAO States to the FAO regions following natural geographical groupings. NEW ZEALAND noted that the State of Niue was omitted from the list and requested its inclusion. On Thursday, 15 July, delegates reviewed and adopted an outline for a draft decision on PIC regions (UNEP/FAO/PIC/INC.6/L.2). The outline of the draft decision groups countries into regions based on the FAO regions with non-FAO States and regional economic integration organizations allocated to appropriate regions based on their natural geographical affinities.

#### **ESTABLISHMENT OF THE INTERIM CHEMICALS**

**REVIEW COMMITTEE:** On Monday, 12 July, Jim Willis introduced the document on establishment of an ICRC (UNEP/FAO/PIC/INC.6/4). The document contains an annotated outline for a decision that the INC might take. He recalled that the Conference of Plenipotentiaries agreed the ICRC should be comprised of government-nominated experts, limited in number and geographically balanced. He noted issues to be resolved, including the number of members,





geographic distribution, the date of the initial meeting, the frequency of meetings and the number of languages. Willis noted that cost estimates provided were based on meetings held in three languages and noted that final document from the ICRC would be translated into all six UN languages. AUSTRALIA proposed a model for the ICRC suggesting that, *inter alia*: membership be restricted to participating government nominees; size be restricted; the FAO regions provide the basis for equitable geographic distribution; representation of these regions be on a numerical basis; members be able to send additional experts to meetings at their own expense and with only one expert at the table; ICRC membership terms within regional groups be three to five years with staggered membership rotation; observers be allowed to encourage transparency; and meetings be held once a year.

Many delegations, including the EC, CAMEROON, EGYPT, TANZANIA, CHILE, CANADA and URUGUAY, supported the Australian proposal. MOROCCO, noting that there are 48 African countries, emphasized that equitable geographical distribution should apply. He supported no more than 25 members and said two meetings a year would be appropriate. With ARGENTINA and CHILE, he supported holding meetings in English, French and Spanish with translation of all documentation into the official UN languages. MALAYSIA, UKRAINE, COLOMBIA, THAILAND, MAURITIUS and the PHILIPPINES supported use of only English with documentation in all languages. The RUSSIAN FEDERATION and CANADA supported membership of 25 representatives. The RUSSIAN FEDERATION said it was premature to determine which languages are most appropriate.

On equitable geographic distribution, the EC said the FAO regions are neither ideal nor representative. COLOMBIA opposed the use of the FAO/PIC regions. EGYPT supported the use of English only and hoped that savings would be distributed to countries in need. The GAMBIA said experts should have scientific and political backgrounds. JAPAN said governments should appoint specific experts according to the issues addressed. JAPAN and COLOMBIA said meetings should be convened as necessary. MALAYSIA and CANADA supported the idea of additional experts. BRAZIL said use of more than one expert could affect equitable distribution. The PHILIPPINES supported use of the FAO regions and 21 experts. BRAZIL, supported by the US, suggested equitable representation based on the chemicals' producers and users. The REPUBLIC OF KOREA supported 30–36 experts. CHILE and NIGERIA supported ten. THAILAND suggested the possibility of an NGO member. CANADA noted that observers must have clearly defined roles and also supported detailed reports to ensure transparency. The US emphasized that the ICRC would need to provide guidance to help countries without good regulatory systems and noted the importance of experts with substantial regulatory expertise. THE PESTICIDE TRUST supported observers and asked for specification of observer numbers and allocation of observer spaces to industry and public interest groups.

On Tuesday and Wednesday, 13–14 July, a contact group met to discuss the establishment of the ICRC. Chair Reiner Arndt (Germany) emphasized that understanding the functions of the CRC would promote understanding of expertise needed and directed participants to the functions assigned to the CRC under the Convention. One participant recommended making provisions for further functions for the ICRC, as requested by the INC. The group preferred to recommend that the ICRC undertake the CRC functions, as stipulated under the Convention, with the exception of the task of recommending removal of chemicals from the PIC procedure. Participants indicated the number of experts in the ICRC should be in the vicinity of 20–25.

On the type of expertise recommended for the ICRC, participants agreed on language in the Convention referring to government-designated experts in chemicals management.

On the issue of membership of the ICRC, one participant proposed limiting eligibility to signatories to the Convention. A number of participants objected and the group deemed this inappropriate. One regional group proposed allocating half of the ICRC seats to experts with experience in advanced chemical management schemes rather than based on FAO/PIC regions. Taking note that the Convention provides for membership of the CRC based on equitable geographical distribution, including ensuring a balance between developed and developing countries, participants considered a Secretariat-prepared list of those countries having DNAs in the FAO regions and an alternative list based on UN regions. Several participants stressed that countries without DNAs should not be excluded from consideration. Elaborating on its FAO region membership proposal, a participant proposed the following distribution: Africa: 6; Europe: 6; Asia: 4; Latin America and the Caribbean: 4; Near East: 3; Southwest Pacific: 2; and North America: 2. A participant stressed there should be some equitable basis for these numbers. Another participant offered a distribution based on DNAs in UN regions. Several participants supported taking the proportions of chemical producers and users and exporters and importers into account. One regional group supported a high developing country membership on the basis of their greater overall number and vulnerability. Another participant said membership should not be less than 25 with at least 25% from Africa. Several participants stressed their understanding that the CRC was a technical, not a political, body.

One participant, with initial support from several others, proposed allocating two seats to each FAO region and with additional members on a proportional basis according to the number of DNA countries in each region: Africa: 2+3; Europe: 2+2; Asia: 2+1; Latin America and the Caribbean: 2+2; Near East: 2; Southwest Pacific: 2; and North America: 2. Another participant preferred giving only one seat to each FAO region under this proposal. Participants continued their deliberations on the options for assignment of seats on the basis of all countries in the FAO/PIC regions, and decided the desirability of nominating DNA countries over non-DNA countries was an issue for the wisdom of regions. The group continued its discussion with a tabulated collation of proposals on the floor looking at the total number of countries by FAO regions but with adjustments to take account of non-FAO countries in the PIC procedure. A number of participants supported a proposal for 27 seats accommodating factors such as council seat allocation in other committees of the FAO, market share, number of consumers, and population. Another advocated a greater share for Europe on the basis of the number of economies in transition included in the region. After a suggestion to add one further seat for Europe and Africa, participants finally agreed on the following allocation of 29 seats for the ICRC: Africa: 6; Europe: 6; Asia: 5; Latin America and the Caribbean: 5; Near East: 3; North America: 2; and Southwest Pacific: 2.

On the question of when countries in the PIC regions and their experts should be nominated, participants agreed that countries should be identified by the end of INC-6 and, if possible, experts as well. Otherwise experts should be identified by 15 September 1999.

On the question of casual vacancies through death or resignation, participants agreed that a region would substitute a new expert and inform the other regions.



On frequency of ICRC meetings, several participants noted the issue of funding should not preclude any decision. Participants agreed on one meeting a year or otherwise, as necessary. On duration and rotation of membership, participants supported a three-year term with periodic rotation, if necessary, to ensure continuity.

On the working languages of the ICRC, participants, with the exception of one reserving its position, agreed on English only, provided that draft DGDs for consideration by both the ICRC and the INC are made available promptly in the six UN languages.

On participation of NGOs, IGOs and governments as observers, delegates agreed to participation as provided for under the INC's rules of procedure with the caveat that the INC might intervene if observers did not limit their numbers appropriately.

The group was unable to agree on whether ICRC members should be experts in chemical management "appointed in their personal capacity." A number of participants preferred to omit this wording and use language from the Convention referring to "government-designated experts in chemicals management."

On Wednesday, 14 July, contact group Chair Arndt presented the results of the group's deliberations. The Plenary agreed on the number of 29 experts for the ICRC. With regard to ICRC members being experts in chemicals management, "appointed in their personal capacity," Arndt emphasized that the language did not restrict governments' right to designate experts, but would facilitate expert decisions. COLOMBIA, VIETNAM, on behalf of the Asian Group, AUSTRALIA, the US and others called for removal of the phrase. Rodrigues, supported by MOROCCO and THAILAND, proposed removing the text from the decision and inserting a note on this issue in the report. ARGENTINA made a reservation against the use of English only in the ICRC, but agreed she would lift this reservation if no other member of the Latin American and Caribbean Group made one. Several delegations stressed the decision on the number of languages only applied for the interim period. A number of delegations, including MOROCCO, UKRAINE, EGYPT and QATAR, stressed that selecting three languages would be discriminatory. Delegates agreed, with several reservations, to use English only with translation of draft DGDs into the six UN languages.

On Thursday, 15 July, delegates briefly considered whether all experts identified by the 15 September 1999 deadline would be appointed on an interim basis and then formally appointed as experts at INC-7. The Plenary later amended text concerning the period for appointing experts to reflect agreement on this.

After regional group meetings, the following countries were announced as those selected by each of the PIC regions to appoint ICRC experts: Africa: Cameroon, Ethiopia, the Gambia, Mauritius, Morocco and South Africa; Europe: Finland, Germany, Hungary, the Netherlands, the Russian Federation and Turkey; Asia: China, India, Indonesia, Japan and Nepal; Near East: Egypt, Sudan and Qatar; Latin America and the Caribbean: Barbados, Brazil, Chile, Ecuador and El Salvador; North America: Canada and the US; and Southwest Pacific: Australia and Samoa.

The RUSSIAN FEDERATION noted an agreement in the Europe regional group that the Ukraine and the Russian Federation should rotate their appointed experts, with the non-serving of the two experts observing, but stressed there was no provision for such rotation in the draft decision. After some debate, delegates agreed on adding a note to the report stating that should the seat occupied by the Russian Federation become vacant, the European Region has determined the Ukraine will fill the vacancy.

The final agreement on establishment of an ICRC (UNEP/FAO/PIC/INC.6/L.4), provides that the INC decides:

- to establish an ICRC composed of 29 government-designated experts appointed by the INC on the basis of PIC regions, as follows: Africa: 6; Europe: 6; Asia: 5; Latin America and the Caribbean: 5; Near East: 3; North America: 2; and Southwest Pacific: 2.
- the ICRC members shall be experts in chemicals management serving for three years from the decision's date or until the first COP, whichever occurs first, and that if the Convention is not in force after three years, the INC will decide as necessary on extension of terms of office or appointment of new members;
- the 29 governments shall formally designate the experts and, through the Secretariat, provide their names and relevant qualifications and inform the Parties to the INC by 15 September 1999, with such experts serving on an interim basis until formal confirmation of appointment by INC-7;
- regions shall determine the procedure for filling any vacancies during the interessional period and circulate qualifications of any new member to INC parties through the Secretariat;
- the ICRC shall normally meet once a year, approximately six months before each session of the INC, subject to availability of funds and work requirements;
- meetings shall be in English only and any DGDs for consideration by the ICRC or forwarded by it to the INC shall be available in all six languages of the INC; and
- ICRC sessions shall be open to observers in accordance with the rules of procedure of the INC.

The INC decision further states that the functions and responsibilities of the ICRC, consistent with the provisions of the Convention, shall be:

- for inclusion of banned or severely restricted chemicals, reviewing information provided in notifications of final regulatory actions and recommending to the INC whether the chemical should be subject to the interim PIC procedure;
- for inclusion of severely hazardous pesticide formulations, reviewing information provided in proposals for inclusion of a severely hazardous pesticide formulation in the interim PIC procedure and recommending to the INC whether the chemical should be subject to the interim PIC procedure; and
- for each chemical that the ICRC decides to recommend for the interim PIC procedure, preparing a draft DGD based on the required information, which includes information on uses of the chemical in a category other than that for which the final regulatory action applies.

**ADOPTION OF DECISION GUIDANCE DOCUMENTS FOR ALREADY IDENTIFIED CHEMICALS:** On Tuesday, 13 July, delegates addressed the adoption of DGDs for already identified chemicals (UNEP/FAO/PIC/INC.6/6). Niek Van der Graaff introduced the DGDs for six pesticides to be considered for inclusion in the PIC procedure: binapacryl, bromacil, ethylene dichloride, ethylene oxide, maleic hydrazide and toxaphene (UNEP/FAO/PIC/INC.6/6/Add.1-6). These DGDs were developed by an FAO expert panel under the voluntary PIC procedure.

CANADA, NEW ZEALAND and the PHILIPPINES supported the addition of toxaphene and binapacryl into the PIC procedure. The US agreed, but noted that changes need to be made in their DGDs. NIGER and UKRAINE agreed that toxaphene should be added. Noting that toxaphene is no longer produced or traded in Australia, AUSTRALIA stated that toxaphene does not satisfy the criteria for inclusion.



MALAYSIA stated that maleic hydrazide and ethylene dichloride had not been adequately considered by the panel, and should be further reviewed. With AUSTRALIA, he stated that maleic hydrazide does not satisfy the criteria for control action, because hydrazine, an impurity found in maleic hydrazide, is the actual contaminant. MALAYSIA, with CANADA, NEW ZEALAND, NORWAY, SWITZERLAND, NIGER and SLOVENIA, stated that maleic hydrazide and bromacil should not be included and need further review. The US requested that correct, updated data on bromacil be brought to the ICRC and questioned whether maleic hydrazide met the criteria. NIGERIA stated that maleic hydrazide and bromacil, along with ethylene dichloride, are still used in her country, and emphasized the need for further review before inclusion. MALI added that binapacryl also needs further review.

With regard to ethylene dichloride and ethylene oxide, CANADA noted that the lack of information on their uses could pose difficulties for developing countries making import decisions. AUSTRALIA, the US and PAKISTAN underscored that pesticides or industrial uses must be identified for correct import response decisions. NIGER supported their inclusion.

VENEZUELA and NIGERIA asked for increased scientific information in the DGDs. The EC supported inclusion of toxaphene, maleic hydrazide and ethylene dichloride, but noted that the information provided in their DGDs needs to be updated.

The GAMBIA, BENIN, CHAD, TANZANIA, LIBYA, GUINEA, THAILAND and COLOMBIA agreed that all six substances could be added to the PIC procedure, noting that some are not registered in their countries. CUBA and SLOVENIA concurred, but stated that the DGDs need clarification. COLOMBIA stressed that it was more important to focus on evaluation and procedural aspects of DGDs than the inclusion of substances. MADAGASCAR and the RUSSIAN FEDERATION stressed that all products needed more review and that consideration for inclusion was premature. The US and CAMEROON agreed on the need for a mechanism to collect comments on information lacking in the DGDs. Delegates agreed that binapacryl and toxaphene should be included in the interim PIC procedure and decided to return the other DGDs to the review committee. The maleic hydrazide and bromacil DGDs required further review and the ethylene dichloride and ethylene oxide DGDs required reformulation for clarification on their uses.

On Thursday, 15 June, delegates considered the draft decision on the adoption for DGDs on identified chemicals (UNEP/FAO/PIC/INC.6/L.3). AUSTRALIA intervened stating that binapacryl and toxaphene were no longer traded and produced in Australia and therefore do not satisfy the criteria.

On Friday, 16 July, delegates continued consideration of the draft decision. The US modified text on maleic hydrazide to clarify that the ICRC would review maleic hydrazide and review and revise the DGD if so decided. The EC noted the need for continuous revision and updating of DGDs. He suggested that all of the proposed substances could be included into the PIC procedure, with the understanding that DGDs would be revised. AUSTRALIA objected, noting that it had never agreed to include all of the proposed chemicals. AUSTRALIA, CANADA and the RUSSIAN FEDERATION supported the US proposal, as did the EC with the request of inclusion of a statement in the final report noting that it was not what the EC had foreseen. The US proposed specification that the review of bromacil specifies the basis for reported control action and the substance's suitability for inclusion into the PIC procedure. TURKEY, ISRAEL and CANADA supported the US proposal. The PHILIPPINES emphasized that the simple

submission of a DGD is not adequate and stressed the need for the INC's in-depth evaluation of DGD suitability for inclusion into the PIC procedure.

The Plenary adopted the draft decision with these amendments. The draft decision: adopts the DGDs for binapacryl and toxaphene and requests the Secretariat to ensure a corrected list of their manufacturers; requests governments to submit clarification to the Secretariat on all uses of ethylene dichloride and ethylene oxide to be reviewed by the ICRC; decides that the ICRC will review and revise the DGD on maleic hydrazide examining the impurity hydrazine and policies in general regarding contaminants within a substance; decides that the ICRC will review bromacil and revise its DGD; and notes that the ICRC will forward DGDs to the INC.

**INCLUSION OF CHEMICALS IN THE INTERIM PIC PROCEDURE:** While no discussion was held on the inclusion of chemicals in the interim PIC procedure, Jim Willis noted this might be a growing and recurring agenda item.

#### **PREPARATIONS FOR THE COP**

On Tuesday, 13 July, the Plenary considered topics to be addressed in preparation for the COP, including decisions required at the first COP, functions of the COP with respect to which the Committee may wish to take action, and other functions of the COP. Delegates had before them the Secretariat's note on the work programme for the interim period (UNEP/FAC/PIC/INC.6/2).

**DECISIONS REQUIRED AT COP-1:** At its first meeting, the COP will need to take decisions on institutional, procedural and legal matters relating to the conduct of its work, including decisions on: rules of procedure and financial rules; Secretariat arrangements and financial provisions for the Secretariat; PIC regions; the CRC; inclusion of chemicals from the interim PIC procedure; and the discontinuation of the interim PIC procedure.

Delegates agreed that the Secretariat should prepare draft decisions for rules of procedure and financial rules and a draft budget for the first biennium to be considered at INC-7. Delegates also requested preparation of a draft decision on Secretariat arrangements and financial provisions for the Secretariat.

Regarding decisions on the definition and adoption of the PIC regions, establishment of the CRC and inclusion of chemicals from the interim PIC, delegates discussed language in the Secretariat's note stating that the COP "may wish to formalize interim decisions" taken on these topics. The EC expressed concern over such language and noted that discussions on this topic might be premature. The RUSSIAN FEDERATION expressed concern about determining PIC regions based upon interim arrangements. Rodrigues noted that the COP would not just give a stamp of approval to interim decisions, but would consider the work accomplished during the interim period prior to determining whether it should be formalized. Rodrigues proposed adding "and approve if found appropriate."

On the discontinuation of the interim PIC procedure, delegates decided that the Secretariat should prepare a document exploring associated issues for discussion at INC-7.

**FUNCTIONS OF THE COP:** With regard to functions of the COP on which the Committee may wish to take action, delegates discussed the assignment of specific Harmonized System customs codes by the WCO and the adoption of annexes on arbitration and conciliation. Regarding the assignment of Harmonized System customs codes, Jim Willis noted that the process for inclusion in the system is very lengthy and that, although the submission deadline for the 2002 edition of custom codes has passed, the INC may wish to address this issue immediately because of a provision allowing for late





submission of proposals involving items of environmental or social concern. The EC encouraged the Secretariat to establish contact with the WCO and begin submitting proposals. He further suggested the Chair submit a letter to the WCO to expedite the process. PAKISTAN underscored the importance of developing this relationship for developing countries in order to control imports. Delegates invited the Secretariat and Chair Rodrigues to initiate contacts with the WCO and also requested the Secretariat to prepare a report on progress made by the Secretariats of the Montreal Protocol and the Basel Convention in assigning harmonized customs codes.

In introductory comments on the annexes on arbitration and conciliation, Willis explained that the article of the Convention on settlement of disputes allows for two options for settlement: arbitration as to be established in an annex or submission of the dispute to the International Court of Justice. The article also calls for disputes that are not resolved by one of these measures to be submitted to a conciliation committee and calls for the adoption of an annex on procedures relating to the conciliation committee to be adopted by the COP no later than at its second session. FINLAND, on behalf of the European Community (EC), and supported by CANADA, noted that other conventions might provide guidance for elaborating such procedures and requested the Secretariat to prepare draft annexes based on other relevant conventions for consideration at INC-7. He also noted that the procedure for addressing non-compliance had yet to be addressed and noted openness with regard to the procedure but preferred a "strong" procedure similar to that of the Montreal Protocol over a "soft" procedure such as that of the UN Framework Convention on Climate Change. He stressed that non-compliance should be addressed with dispute settlement. SENEGAL, on behalf of the African Group, and the US supported initial elaboration of the annexes. CANADA, supported by NIGERIA, suggested that a working group on annexes be established at INC-7. AUSTRALIA questioned the need to take a decision at INC-6 and preferred agreeing to an intention of establishing the working group at INC-8 with the possibility of revisiting the arrangement at INC-7. Delegates agreed that the Secretariat should prepare an initial review of options for arbitration and conciliation annexes and for procedures and institutional mechanisms for determining non-compliance. Delegates also agreed that a working group could be convened after consideration of the Secretariat's findings to develop annexes and non-compliance procedures at INC-8.

Willis introduced topics included under other functions of the COP, including approval of DGDs and inclusion of chemicals in Annex III (Chemicals Subject to the PIC Procedure), removal of chemicals from Annex III, establishment of procedures regarding non-compliance, review and evaluation of implementation, and establishment of subsidiary bodies. He noted that no decision was necessary at INC-6, but that the topics will need to be addressed in the future.

#### **ISSUES ARISING OUT OF THE CONFERENCE OF THE PLENIPOTENTIARIES**

On Tuesday, 13 July, delegates addressed issues raised by the African Group and other countries at the Conference of the Plenipotentiaries, including concern about the technical and financial assistance necessary for implementation of the Convention as well as during the interim period and the need to consider dispute settlement, illicit trafficking and responsibility and liability at an early stage. Delegates also considered the location of the Secretariat.

**SUPPORT FOR IMPLEMENTATION:** In introductory comments on support for implementation, Jim Willis noted that the activities and programme of work of the Secretariat for 1999-2000 were approved in principle and that this programme provides for capacity-building efforts under the facilitation of implementation and

ratification of the Convention. Rodrigues recalled that the need for workshops on implementation had been discussed and asked if this would meet needs for support, with the understanding that this is what is available. FINLAND, on behalf of the EC, said efforts among various organizations should be noted and that emphasis should be put on other activities. He noted organizations promoting the sound management of chemicals, including FAO, UNEP, the World Health Organization (WHO), the United Nations Industrial Development Organization (UNIDO), the United Nations Institute for Training and Research (UNITAR) and the International Labour Organization (ILO), and stressed that attention should be given to coordinating existing resources.

GERMANY, on behalf of the EC, proposed a conceptual framework for joint projects between countries with more advanced programmes for regulating chemicals to provide technical assistance for the implementation of the Convention in developing countries and countries with economies in transition. The proposed project structure is flexible, allowing for activities to start and continue, as operational funds are made available. SENEGAL thanked donors for support for capacity building in Africa and offered to host an awareness-raising workshop in Dakar.

PANAMA described the DNAs' ability and capacity to manage the Convention as the "keystone" for implementation and emphasized that any budgetary savings should be earmarked for their capacity building. CHINA questioned how issues such as non-compliance could be discussed before ensuring means for implementation of the Convention. He underscored the importance of financial and technical assistance and said that assistance should not be limited to workshops. The GAMBIA, on behalf of the African Group, agreed that technical assistance is very important and that financial assistance is essential to implementation of the Convention and called for evaluation of financial mechanisms. The US reiterated the need to focus on capacity building and identified the PIC procedure as capacity building in nature insofar as it provides for transfer of knowledge and know-how between countries. Delegates agreed the workshops on implementation and ratification of the Convention provide a good basis for support for implementation and noted the COP should further address this issue.

The EC highlighted a computer-based system for implementation of the PIC procedure based on the European Union on-line database programme for the voluntary PIC procedure, and noted availability of a general version of the database and software that is applicable for and usable by any country. She further suggested that the Secretariat could link such databases, enabling countries to easily share information. Willis noted that support for Africa is a UNEP priority and highlighted UNEP's Mercure programme and a pilot project for Internet networking on chemicals management to be implemented with a selection of PIC DNAs as well as Intergovernmental Forum on Chemical Safety (IFCS) and POPs focal points. UNITAR highlighted pilot projects in Tanzania, the Gambia, Cameroon and Chile aimed at reducing high-risk chemicals.

**DISPUTE SETTLEMENT, ILLICIT TRAFFICKING AND RESPONSIBILITY AND LIABILITY:** In introductory comments, Jim Willis remarked that illicit trafficking is a topic broader than the implementation of the PIC procedure. He noted that the IFCS will meet in 2000 in Salvador, Brazil, and is likely to address illicit trafficking and hoped that the IFCS will provide a step forward in a broader context. The GAMBIA insisted that these issues must also be addressed by the COP. Rodrigues suggested that the African Group encourage inclusion of this topic at the IFCS and that INC-7 could build upon the discussions from Salvador. VENEZUELA suggested



that individuals involved in the chemical product trade should be responsible and called for the establishment of a fund based on contributions from private persons and States. FINLAND, on behalf of the EC, said that a compliance system would not respond to concerns on illicit trafficking. Delegates agreed that the IFCS should be encouraged to address illicit trafficking and that the issue would be revisited at INC-7.

**LOCATION OF THE SECRETARIAT:** On Wednesday, 14 June, Jim Willis introduced the topic of the Secretariat's location and recalled offers previously announced by Germany and by Switzerland and Italy jointly. He noted that at INC-7 the Secretariat would distribute a list of the benefits and drawbacks of both offers for governments to consider. GERMANY reiterated its invitation to host COP-1 and called for establishment of a small working group to prepare a comparative analysis of offers and present the findings to INC-7. The German offer includes DM 1,000,000 at the disposal of the Secretariat, and an additional DM 1,000,000 per annum for PIC events held in Germany. SWITZERLAND, commenting on the process for determining the Secretariat's location, noted the efficiencies of using existing UNEP and FAO facilities in Geneva and Rome. She recalled that Switzerland's offer to hold COP-1 in Geneva was accepted at INC-5. ITALY agreed and stated that other offers should not be considered. Rodrigues agreed that SWITZERLAND's offer was indeed approved in March 1998, but that other offers were welcomed. She endorsed a working group on Secretariat location, but opposed the proposal that it be intersessional since this would limit transparency.

#### **STATUS OF SIGNATURE AND RATIFICATION OF THE CONVENTION**

On Thursday, 15 July, Jim Willis introduced the Secretariat's note on the status of signature and ratification of the Convention (UNEP/FAO/PIC/INC.6/INF.1). The document states that as of 16 June 1999, the Convention has 61 signatories, comprised of 60 States and one regional economic integration organization. Willis noted that 62 States initially signed the Convention at the Conference of Plenipotentiaries in Rotterdam, but that after a review of credentials this number was reduced to 55. Six additional countries signed the Convention between its opening for signature and completion of the Secretariat's note on 16 June. Since then, the Czech Republic and Australia signed the Convention, making the total number of signatories 63. Willis noted that no State or regional economic integration organization has ratified the Convention.

NIGERIA and the GAMBIA remarked that they had signed the Convention at Rotterdam and queried as to why they were not listed as signatories. Willis noted that the review of the credentials may have indicated problems with credentials and that the signature was not recognized. The GAMBIA noted that it had ratified the Convention but was not acknowledged as a signatory and requested clarification on how to proceed. She further questioned why the credentials review committee in Rotterdam did not indicate problems with the credentials. NIGERIA asked for clarification and guidance on credential requirements. FAO Legal Counsel Gerald Moore advised that the original credentials, not a copy or fax of the credentials, are required.

GERMANY, the NETHERLANDS, SENEGAL, PERU, the US, MADAGASCAR, BELGIUM and SLOVENIA noted their intentions to ratify the Convention and reported on the status of their ratification processes. EGYPT, CHINA, INDIA and ARGENTINA noted their intent and efforts to become signatories. The PHILIPPINES encouraged the signing and ratification of the Convention and hoped the Convention would enter into force as soon as possible. The final report notes that the INC took note of the Secretariat's report and delegations' intents to ratify the Convention.

#### **OTHER MATTERS**

On Thursday, 15 July, Chair Rodrigues invited delegates to address other matters. The US suggested that outlining specific work for the ICRC could be useful and submitted a paper on tasks for the ICRC prior to the next session of the INC. MOROCCO, supported by the GAMBIA, EGYPT and SENEGAL, noted that the question of dispute settlement had been raised on several occasions throughout the negotiation of the Convention and requested establishment of a contact group to address this, along with illicit trafficking and liability and compensation. The GAMBIA underscored the need to address illicit trafficking and liability and compensation and called for establishment of financial mechanisms.

Rodrigues recalled that the IFCS would address illicit trafficking at its third session to be held in October 2000, and said that, in order to conserve resources and build on discussions in other fora, the INC would address this topic at INC-7 after the third IFCS session. She recalled the agreement reached by the Plenary to send a letter to the IFCS indicating the high priority the INC places on addressing illicit trafficking. She added that dispute settlement and liability and compensation issues should be addressed with arbitration and conciliation, and recalled that the Plenary had agreed to request the Secretariat to compile material on this topic to be presented at INC-7 with the intent of establishing a working group on these issues. She said the report of the meeting would reflect the reiteration of the African position. The US asserted that the Convention would do much to address illicit trafficking. He noted that the use of the Harmonized System customs codes would help to track PIC chemicals and increase interaction between DNAs and customs officials and thereby improve enforcement. He said the focus of the INC should be on implementing the Convention and identified the development of annexes on arbitration and conciliation as a priority.

#### **CLOSING PLENARY**

In the closing Plenary on Friday, 16 July, delegates considered and made modifications to the report of the meeting (UNEP/FAO/PIC/INC.6/L.1, and Add.1, 2 and 3). With regard to the working languages of the ICRC, CUBA requested that the report note that some countries would have preferred three languages. On the balance of participation of observers in the ICRC, the PESTICIDE TRUST opposed a proposal to simplify language to call for a balance between industry and NGOs and preferred retaining reference to public interest groups. COLOMBIA proposed modifying reference to the need to balance "observer" participation in the ICRC to "governmental observer." FINLAND, on behalf of the EC, opposed this amendment. CANADA, supported by BRAZIL, expressed concern that this specification would result in non-balanced participation and preferred a broad reference to observer participation that would include both governmental and non-governmental observers. AUSTRALIA clarified that balance should be achieved among non-governmental observers and among all observers, including governmental and non-governmental, within the ICRC and proposed text specifying this. The UK noted the danger of having more observers than actual participants in the Committee and suggested adding: "attention should be paid to attaining a balanced participation in the ICRC" to ensure balance between types of observers and members. The Plenary agreed to the Australian and UK proposals.

Regarding the adoption of DGDs, AUSTRALIA withdrew his original notification of control action on binapacryl, as a review of the notification determined that the chemical's withdrawal from the Australian market was based upon a commercial decision of the manufacturer rather than a human health or environmental concern.





On satisfying criteria for inclusion, AUSTRALIA, noting that substances no longer developed and traded do not meet the criteria for inclusion, agreed they could be included as "historical catch-ups" but stressed that this should not set a precedent. The Plenary recognized that the adoption of such DGDs was in the context of including chemicals from the voluntary procedure and did not constitute a precedent.

CANADA requested inclusion of information on where notification of control action should be forwarded, as well as the date for submission, 31 October 1999. On stockpiles being subject to re-exportation, EGYPT asked about non-internationally marketed substances. Rodrigues said they could still be included in the PIC procedure since stockpiles could remain.

With regard to illicit trafficking, MALI noted that the report states that illicit trafficking was likely to be addressed and underscored that the INC must address this topic. The UKRAINE noted that its offer to host a regional workshop should be included. ARGENTINA made a reservation noting that the interim arrangements, specifically the number of representatives of the ICRC, were of a provisional nature. With regard to the Secretariat's location, GERMANY requested inclusion of the date of its formal offer, at the Rotterdam Conference, to host the Secretariat. SWITZERLAND also asked that the date of its formal offer, at INC-5, be included. On the status of signature and ratification of the Convention, Niek Van der Graaff noted Australia and the Czech Republic as additional signatories. The Plenary adopted the report with these modifications.

In closing remarks, Rodrigues thanked delegates for staying on track and avoiding pitfalls throughout INC-6. She looked forward to seeing delegates at INC-7 and wished the ICRC the best of luck. The GAMBIA, on behalf of the African Group, offered thanks to all that had helped to achieve a successful meeting. She emphasized Africa's commitment to the Convention, underscored the need for assistance for successful implementation and identified addressing of stockpiles of obsolete pesticides as a priority. The UKRAINE, on behalf of Eastern and Central European countries, declared that INC-6 would provide an enormous boost to encourage countries to sign and ratify the Convention and, with VIETNAM, on behalf of the Asian Group, thanked Chair Rodrigues and the Secretariat. The US, on behalf of the North American regional group, lauded the effectiveness of the Secretariat and Chair. AUSTRALIA, on behalf of the Southwest Pacific region, offered thanks and remarked that the PIC procedure will result in bountiful benefit to human health and the environment. EGYPT, on behalf of the Near East region, COLOMBIA, on behalf of the Latin America and Caribbean region, and FINLAND, on behalf of the EC, thanked the Secretariat, interpreters, Chair and participants. Chair Rodrigues gavelled INC-6 to a close at 5:00 pm.

## A BRIEF ANALYSIS OF INC-6

**A FAST START:** Having successfully adopted the Rotterdam Convention in September 1998, the work of the INC on the PIC procedure entered the interim period, a gray and non-negotiated area between the voluntary and legally binding PIC procedure. The resolution on interim procedures, adopted along with the Convention at the Conference of the Plenipotentiaries, provided for the INC to continue work on the modalities of operating the COP and has positioned the Convention for a "fast start." The success of INC-6, including agreement on interim PIC regions and the establishment of an interim Chemical Review Committee, provides a strong foundation for bringing the voluntary PIC procedure in line with the procedure set out in the Convention and for encouraging ratification of the Convention.

**GETTING OUT OF THE GATE:** Despite the fast start principle, INC-6 had a little trouble getting out of the gate. There was widespread recognition that the biggest obstacle threatening to make the interim PIC procedure stop dead in its tracks is the availability of funding. In discussions early in the week, delegates questioned whether funds would be available to hold another INC and it was made clear that governments will need to put their money where their mouths are. Realization of financial constraints forced delegates to prioritize work in the interim period, with support for the Secretariat and INC meetings taking precedence over capacity-building workshops to encourage ratification of the Convention because, as one delegate put it, there isn't much sense in building capacity for something that doesn't exist. Developing countries' requests for capacity building were countered by developed countries responses that this would have to wait until funds were found. Long-standing developing country concerns resurfaced on where necessary technical and financial contributions will come from. When discussion turned to addressing non-compliance, some developing countries asked how they could be expected to consider measures to address non-compliance without some assurance that they would have the technical and financial assistance necessary to be in compliance.

Well aware that the arrangements established in the interim period could be formalized at COP-1, delegates demonstrated caution in reaching agreement on some issues, notably the establishment of the ICRC, and expressed some concern over setting precedents or implicit agreements that could be difficult to shake off at COP-1. Aspects of the ICRC that delegates grappled most with were determining the regional representation to enable equitable and balanced geographic membership and what type of observers would be allowed. As participants jostled to determine what the balance would be among observers and which observers would be allowed, delegates expressed concern that there could be more observers than participants, interfering with the distribution of resources and balance within the ICRC. Finally, it was agreed to have balance among observers as well as between members and observers.

**NEGOTIATING THE TRACK AHEAD:** In addition to fleshing out the mechanics of the PIC procedure, the interim period provides further opportunity to streamline and clarify the scope of the Convention in terms of how many chemicals are included in the procedure. Some delegates expressed concern that the PIC procedure is too narrow and does not address all the chemicals it should, especially those that are most hazardous. In discussions on the acceptance of the six chemicals to the interim PIC procedure, some delegations cautioned against just gaveling through decisions and preferred to give careful consideration to procedure and the quality of the DGDs. Some developing countries indicated their preference to use a precautionary approach and include more chemicals while other countries supported only including chemicals that are known to pose a risk to human health and the environment. With only two of six chemicals approved and the other four returned to the ICRC for further review, some delegates lamented that more had not been adopted while others felt that this appropriately reflected a more rigorous standard for the review of chemicals.

**STRIVING FOR A PERSONAL BEST:** With high hopes of holding annual sessions throughout the interim period, the INC now has the opportunity to continue the challenging task of operationalizing the Convention and improving its impressive record with a new personal best at COP-1. While awaiting the first COP, which the Secretariat estimates will take place in 2003, the INC should be able to streamline the process for running the CRC, determine an effective funding mechanism and continue to consider new chemicals and approve them for the PIC procedure on an interim basis. The final



appraisal of the INC's interim work will no doubt be revealed at COP-1 when it decides in its wisdom whether to give formal recognition to the INC's outcomes.

### THINGS TO LOOK FOR

**BASEL GROUP ON LIABILITY:** The *Ad-Hoc* Working Group of Legal and Technical Experts to Consider a Protocol on Liability and Compensation for Damage under the Basel Convention will be held in Geneva in August 1999. For more information contact: the Secretariat of the Basel Convention; tel: +41 (22) 917 82 18; fax: +41 (22) 797 34 54; e-mail: bulskai@unep.ch; Internet: <http://www.unep.ch/basel/index.html>.

**THIRD SESSION OF THE POPS INTERGOVERNMENTAL NEGOTIATING COMMITTEE (INC):** The third session of the Intergovernmental Negotiating Committee for an International Legally Binding Instrument for Implementing International Action on Certain Persistent Organic Pollutants (POPs) will be held from 6-11 September 1999 in Geneva, Switzerland. For more information, contact: UNEP Chemicals (IRPTC); tel: +41 (22) 979 91 11; fax: +41 (22) 797 34 60; e-mail: dogden@unep.ch; Internet: <http://irptc.unep.ch/pops/>.

**DIOXIN '99:** The 19th International Symposium on Halogenated Environmental Organic Pollutants and POPs will take place from 12-17 September 1999 in Venice, Italy. For more information contact: the Organizing Secretariat, Emmezeta Congressi, Via C. Farini 70 - 20159 Milan, Italy; tel: +39 (2) 6680 2323; fax: +39 (2) 6680 6699; e-mail: dioxin99@mzcongressi.com; Internet: [http://www.kemi.se/default\\_eng.cfm?page=aktuellt/pressmedd/default\\_eng.htm](http://www.kemi.se/default_eng.cfm?page=aktuellt/pressmedd/default_eng.htm).

**WORKSHOP ON POPS MANAGEMENT:** This workshop on POPs management is to be held from 20-23 September 1999 in Dubrovnik, Croatia. For more information contact: UNEP Chemicals (IRPTC); tel: +41 (22) 979 91 11; fax: +41 (22) 797 34 60; e-mail: dogden@unep.ch; Internet: <http://irptc.unep.ch/pops/>.

**FAO/WHO JOINT MEETING ON PESTICIDE RESIDUES:** The 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) 24th session meeting will be held from 20-29 September 1999 in Rome, Italy. The expected outcome of this meeting is reports and monographs summarizing the assessments of certain pesticides. For more information contact: Amelia Tejada, FAO; tel: +39 (6) 5705 4010; fax: +39 (6) 5705 6347; e-mail: [Amelia.Tejada@fao.org](mailto:Amelia.Tejada@fao.org).

**FAO PANEL OF EXPERTS ON PESTICIDE SPECIFICATIONS:** The 15th session of the Panel of Experts on Pesticide Specifications, Registration Requirements, Application Standards and Prior Informed Consent will be held from 28 September-1 October 1999 in Rome, Italy. The meeting will focus on developing recommendations on the procedures for the preparation and revision of the International Code of Conduct on the Distribution and Use of Pesticides. The 16th session will be held from 22-29 May 2000 in Granada, Spain. For more information contact: Gero Vaagt, FAO; tel: +39 (6) 5705 5757; fax: +39 (6) 5705 6347; e-mail: [Gero.Vaagt@fao.org](mailto:Gero.Vaagt@fao.org).

**WMO/EMEP WORKSHOP ON MODELING OF ATMOSPHERIC TRANSPORT AND DEPOSITION OF POPS AND MERCURY:** This workshop will take place in November 1999 at the WMO Headquarters in Geneva. For more information contact: Marina Varygina, Meteorological Synthesizing Centre East, Kedrova Street 8, 117292 Moscow, Russian Federation; tel: +7 (95) 124 4758; fax: +7 (95) 310 7093; e-mail: [msce@glasnet.ru](mailto:msce@glasnet.ru).

**BASEL CONVENTION ON HAZARDOUS WASTES:** The fifth session of the Conference of the Parties (COP-5) to the Basel Convention will be held in Basel, Switzerland, from 6-10 December 1999. For more information contact: Secretariat of the Basel Convention; tel: +41 (22) 917 82 18; fax: +41 (22) 797 34 54; e-mail: [bulskai@unep.ch](mailto:bulskai@unep.ch); Internet: <http://www.unep.ch/basel/index.html>.

**THE ROTTERDAM CONVENTION INTERIM CHEMICALS REVIEW COMMITTEE:** The first session of the interim Chemicals Review Committee for the Rotterdam Convention on the Application of the Prior Informed Consent Procedure for Certain Hazardous Chemicals and Pesticides in International Trade is tentatively scheduled for 7-10 December 1999 in Rome, Italy. The meeting will review candidate chemicals for the Rotterdam Convention on PIC. For more information contact: Gero Vaagt, FAO; tel: +39 (6) 5705 5757; fax: +39 (6) 5705 6347; e-mail: [Gero.Vaagt@fao.org](mailto:Gero.Vaagt@fao.org).

**THIRD MEETING OF THE INTERNATIONAL FORUM ON CHEMICAL SAFETY:** The third meeting of The Intergovernmental Forum on Chemical Safety (Forum III) is tentatively scheduled for September or October 2000, and will be held in Salvador, Brazil. For more information contact: Executive Secretary, Intergovernmental Forum on Chemical Safety, c/o World Health Organization, 20 Avenue Appia, CH-1211 Geneva 27 Switzerland; tel: +41 (22) 791 36 50/43 33; fax: +41 (22) 791 48 75; e-mail: [ifcs@who.ch](mailto:ifcs@who.ch); Internet: <http://www.who.int/ifcs>.