



PIC INC-7 HIGHLIGHTS MONDAY, 30 OCTOBER 2000

On the first day of INC-7, delegates met in morning and afternoon Plenary sessions. Participants discussed activities of the Secretariat and implementation of the interim PIC procedure, including the work of the Interim Chemical Review Committee.

OPENING CEREMONY

Chair Maria Celina de Azevedo Rodrigues (Brazil) welcomed delegates and introduced Shafqat Kakakhel, Deputy Executive Director of UNEP. On behalf of Klaus Töpfer, Executive Director of UNEP, Kakakhel thanked Switzerland and Italy for hosting the interim Secretariat and highlighted the benefits and ongoing spirit of cooperation between UNEP and the FAO. He noted eleven ratifications of the Rotterdam Convention since INC-6, urged further ratifications and encouraged governments with advanced systems to assist other countries to this end. Kakakhel encouraged: further voluntary contributions to the Trust Fund; notifications of final regulatory actions; proposals for severely hazardous pesticide formulations and advisement of decisions regarding PIC chemicals.

Louise Fresco, Assistant Director-General of the FAO, underscored that INC-7 is a result of collaboration and synergies between FAO and UNEP and stressed the need to meet interim PIC expenditures not covered by FAO/UNEP contributions. Highlighting increasing food demand, population growth and the consequential need for agricultural intensification, she noted that pesticides will not be replaced in the foreseeable future due to the limitations of current alternatives. She stated that policies and measures are therefore needed for sustainable use of pesticides, including regulatory frameworks and eco-friendly technologies.

Delegates adopted the Agenda (UNEP/FAO/PIC/INC.7/1) and Chair Rodrigues reviewed the organization of work for the week.

ACTIVITIES OF THE SECRETARIAT

Jim Willis, UNEP Chemicals, outlined the Secretariat's activities during the interim period and the situation regarding extrabudgetary funds (UNEP/FAO/PIC/INC.7/2 and 7/2/Add.1). He summarized work regarding, *inter alia*: compilation and circulation of information on Designated National Authorities (DNAs); circulation of Decision Guidance Documents (DGDs); verification and circulation of final regulatory actions and inclusion of severely hazardous pesticide formulations (SHPFs); and notification of control actions under the original PIC procedure. He noted: two regional workshops held to support efforts toward implementation and ratification; establishment of the new PIC website: <www.pic.int>; and new contributions to the Trust Fund.

The EUROPEAN COMMUNITY (EC) announced their recent contribution to the Trust Fund of Euros 100,000. EGYPT, supported by SYRIA, suggested the Secretariat consider orga-

nizing a workshop for the Middle East region. Willis explained that although workshops are a Secretariat priority, only two of the four originally planned could be arranged for 2001. NEW ZEALAND suggested the Secretariat prioritize activities given the financial situation. SWITZERLAND supported the proposed budget. Willis stressed the need to prioritize activities in line with resource availability, noted investment in information and database automation and identified resource shortfall as the impediment to further activities.

IMPLEMENTATION OF THE INTERIM PIC PROCEDURE

STATUS OF IMPLEMENTATION: Aase Tuxen, interim Secretariat of the Rotterdam Convention, presented Status of Implementation of the Interim PIC Procedure (UNEP/FAO/PIC/INC.7/14). She highlighted, *inter alia*: the nomination of 236 DNAs by 163 States and no DNA nomination for 29 States; that no submitted notifications of final regulatory actions before the adoption of the Convention met the information requirements of Annex I; that only six notifications have been submitted since the adoption of the Convention; and that no proposals for inclusion of SHPFs have been submitted. She further noted that: Annex III contains 29 chemicals, including nineteen pesticides, five SHPFs and five industrial chemicals; no information had been collected yet on transmittal of a response concerning future import of a chemical; and that no Party had reported to the Secretariat a need for information on transit movements of chemicals included in the interim procedure.

REPUBLIC OF KOREA, supported by the EC, suggested that the interim Secretariat analyze the causes of failure to report information required under Annex I. Pesticide Action Network (PAN), speaking on behalf of public interest NGOs, expressed their concern regarding the notification process and suggested reconsideration of the PIC regions. Jim Willis, UNEP, said the Secretariat will provide Parties with an analysis of the few early notification submissions received. He highlighted lack of data in many fields of the form as the main problem and noted that the analysis will be ready for the next ICRC meeting.

SAMOA emphasized the importance of providing information on transit movements. UNITED ARAB EMIRATES commented on the large number of notifications that Parties must submit and Willis responded that Parties have specific notification instructions.

INTERIM CHEMICAL REVIEW COMMITTEE

(ICRC): Niek van der Graaff, FAO, noted the establishment, form and function of the ICRC under decision INC-6/2. He stated that INC-7 is requested to formally appoint the experts designated by governments, as listed in UNEP/FAO/PIC/INC.7/3. TURKEY said their designated expert had been transferred, and suggested the matter be discussed in a European regional meeting.

This issue of the *Earth Negotiations Bulletin* © <enb@iisd.org> is written and edited by Richard Campbell <richard@iisd.org>, Wendy Jackson <wendy@iisd.org>, Jonathan Krueger, Ph.D. <jkrueger@iisd.org> and Hernan Lopez, LL.M. <hernan@iisd.org>. The Digital Editor is David Fernau <david@iisd.org>. The Editor is Pamela S. Chasek, Ph.D. <pam@iisd.org> and the Director of IISD Reporting Services is Langston James "Kimo" Goree VI <kimo@iisd.org>. The Sustaining Donors of the *Bulletin* are the Netherlands Ministry of Foreign Affairs, the Government of Canada (through CIDA and DFAIT), the United States (through USAID), the Swiss Agency for Environment, Forests and Landscape (SAEFL), the United Kingdom Department for International Development (DFID), the European Commission (DG-ENV) and the Rockefeller Foundation. General Support for the *Bulletin* during 2000 is provided by the German Federal Ministry of Environment (BMU) and the German Federal Ministry of Development Cooperation (BMZ), the Danish Ministry of Foreign Affairs, the Ministry of Environment and the Ministry of Foreign Affairs of Austria, the Ministries of Foreign Affairs and Environment of Norway, the Ministries of Foreign Affairs and Environment of Finland, the Government of Australia, and BP Amoco. 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 Director of IISD Reporting Services. 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>. The satellite image was taken above Geneva ©2000 The Living Earth, Inc. <http://livingearth.com>. For information on the *Earth Negotiations Bulletin*, send e-mail to <enb@iisd.org>.



ICRC Chair Reiner Arndt presented the Report of the ICRC's First Session (UNEP/FAO/PIC/INC.7/4). Suggesting earlier election of the Bureau in the future, Arndt advised that 26 of the 29 government-designated experts attended ICRC-1, that there was a balance in the type of expertise and that observers made significant contributions. He noted an imbalance in attendance of industry, public interest groups and trade unions, with six industry experts attending and just one from other NGOs. Arndt highlighted the tasks before the ICRC and noted that ICRC-1 addressed these and elaborated operational procedures for future ICRC work.

PAN stressed the importance public interest groups attach to PIC and indicated, *inter alia*, financial constraints as an impediment to their attendance. GCPF observed that three of six industry groups attended ICRC-1 to discuss specific chemicals and stressed the importance of manufacturer representative attendance. Highlighting non-industry NGOs' financial and personnel constraints, the INTERNATIONAL UNION OF FOOD, AGRICULTURAL AND ALLIED WORKERS' ASSOCIATION (IUF) endorsed addressing the imbalance in industry and non-industry NGO representation. Plenary agreed to take note of the ICRC report.

ICRC Chair Arndt, referring to Adoption of DGDs for Already Chemicals (UNEP/FAO/PIC/INC.7/5), advised that the mandate of the ICRC was to: review information provided by governments, regional economic integration organizations and interested observers; distinguish between industrial and pesticide uses of ethylene dichloride and ethylene oxide; and decide whether they should be subject to the interim procedure. The EU and SAMOA supported their inclusion in the interim procedure. The US emphasized the interim nature of the decision, and stated its support for inclusion. Delegates agreed to adopt the DGDs for both chemicals, to subject them to the interim procedure.

Arndt reported that, after lengthy deliberations in the ICRC regarding impurities, action on maleic hydrazide is pending results from the discussion in the INC on contaminants. He said that bromacil did not meet the Annex II criteria for adding chemicals to the interim procedure, and therefore no recommendation was given.

Regarding the development of an Incident Report Form for pesticide poisoning incidents (UNEP/FAO/PIC/INC.7/6), particularly relating to SHPFs, Arndt noted that an ICRC Task Group had drafted a form using available documentation and intends a "test phase" for the form. He outlined the ICRC recommendation to INC-7 to encourage States, aid agencies, IOs, NGOs and other bodies to use the Incident Report Form. Chair Rodrigues noted that the INC could accept the recommendation of the ICRC and ask it to pursue its work for presentation at ICRC-2 and subsequently report to INC-8.

Many delegations supported the development of the draft Incident Report Form. THE PHILIPPINES noted that National Poison Control centers may have helpful information on this subject that should be made available to the Secretariat. WHO highlighted their work on pesticides related to this issue, particularly regarding the epidemiology of pesticide poisoning. Plenary accepted the ICRC recommendation to develop an Incident Report Form.

On Assistance to Countries in Identifying Severely Hazardous Pesticide Formulations (UNEP/FAO/PIC/INC.7/6), Arndt outlined the ICRC recommendation to encourage States, aid agencies, NGOs and other actors to assist developing countries and countries with economies in transition in implementing specific projects to identify SHPFs causing problems under conditions of use in those countries.

MALAYSIA, supported by the US, the RUSSIAN FEDERATION, the SUDAN and the UKRAINE, suggested it would be beneficial to establish a procedure for countries to make requests for assistance, via the Secretariat, that would be forwarded to appropriate agencies in order to expedite the process. Chair Rodrigues said this was acceptable. PAN highlighted, *inter alia*:

that NGOs welcomed the ICRC invitation to cooperate in identifying SHPFs; that NGOs will offer assistance in identifying such formulations; and their work with a partner in Benin on endosulfan poisonings. IUF outlined its cooperation with PAN to develop and run training programmes on how to collect and analyze data on PIC chemicals, and then present it to governments and IOs. Chair Rodrigues noted that a revised version of the ICRC recommendation will be provided to Plenary later in the week.

ICRC Chair Arndt reported on the recommendation to the INC on the issue of contaminants (UNEP/FAO/PIC/INC.1/6, Annex I), which refers to whether chemicals could be included in the PIC procedure on the basis of specified levels of contaminants, rather than the chemical itself. He explained that the INC should consider the adoption of a policy on contaminants.

Chair Rodrigues suggested the creation of a working group on technical matters to analyze this issue and appointment of Arndt as its Chair. REPUBLIC OF KOREA, supported by SAMOA, suggested using Annex II procedures for listing banned or severely restricted chemicals if contaminants were to be included in the Convention. CANADA, supported by THE PHILIPPINES, suggested clarification of the issues the working group on technical matters would discuss. Arndt remarked that this working group would analyze the scope of the Convention regarding definitions and not discuss bans of certain chemicals. The US suggested that the FAO make a presentation on this issue to improve the understanding of developing countries. Chair Rodrigues announced that the FAO would present its work to Plenary during the week.

On Submission of Notifications of Final Regulatory Action for Subject to the Interim PIC Procedure (UNEP/FAO/PIC/INC.7/CRP.1), the US, supported by the EC and GCPF, suggested the Secretariat develop a paper that identifies options for balancing information requirements and reporting responsibilities. Jim Willis said the Secretariat would be pleased to do so. Chair Rodrigues proposed that as an interim measure, countries should refrain from sending notifications of chemicals that are already listed in Annex III. The US questioned the appropriateness of this. CHINA, with CANADA, EGYPT and NEW ZEALAND, supported the measure, while COLOMBIA and CHILE expressed reservations. Arndt reiterated that full-scale notification of chemicals already in Annex III is burdensome. Chair Rodrigues said countries could send in all notifications if they preferred. She proposed that a recommendation might suggest that countries prioritize notifications sent to the Secretariat, giving top priority to chemicals not yet in Annex III, and that the Secretariat also prioritize notifications while processing them.

IN THE CORRIDORS

The opening day buzz at INC-7 dwelled on the difficulties emerging in the interim period of the PIC process. One participant opined that resolution of several PIC implementation issues appeared to depend on entry into force of the Convention and on COP-1, since the Convention text doesn't address all possible situations. For example, the question of how to treat contaminants in potential PIC chemicals would appear to require a COP decision for substantive resolution. Restoring the confidence of the proactively minded was an experienced hand's mention of creative text interpretation as a facilitating measure in the interim. Building on this were comments on the fast pace of day one, prompting one participant to suggest that PIC procedures were running relatively smoothly.

THINGS TO LOOK FOR TODAY

PLENARY: Delegates will reconvene in Plenary at 10:00 am in Room 2 of the Geneva International Conference Centre.