



REPORT OF THE EIGHTH 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: 8 – 12 OCTOBER 2001

The eighth session of the Intergovernmental Negotiating Committee 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 (INC-8) was held from 8 – 12 October 2001, in Rome, Italy. Over 260 delegates from more than 110 countries, including representatives of IGOs and NGOs, attended the five-day meeting.

The overall goal of INC-8 was to consider the major issues associated with the implementation of the interim PIC procedure, and to prepare for the entry into force of the Convention. During the congenial and efficient session, delegates discussed: the work of the Interim Chemical Review Committee (ICRC); implementation of the interim PIC procedure; and preparation for the COP. INC-8 resolved a number of complex questions associated with discontinuation of the interim PIC procedure and on conflict of interest in the ICRC, although some contentious issues, such as treatment of non-Parties after discontinuation of the interim PIC procedure and composition of the PIC regions, have been pushed forward for consideration at INC-9.

The PIC procedure aims 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 that are traded internationally. The Rotterdam Convention on the PIC Procedure for Certain Hazardous Chemicals and Pesticides in International Trade was adopted on 10 September 1998. To date, the Convention has been signed by 72 States and one regional economic integration organization, and ratified by 16 States (Bulgaria, the Czech Republic, El Salvador, Germany, Guinea,

Hungary, Kyrgyzstan, Mongolia, the Netherlands, Nigeria, Oman, Panama, Saudi Arabia, Senegal, Slovenia and Suriname). It will enter into force once 50 instruments of ratification are deposited. Until the Convention's first Conference of the Parties (COP), the Intergovernmental Negotiating Committee (INC) will continue to provide guidance regarding the implementation of the PIC procedure during the interim period.

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.

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In 1989, both instruments were amended to include a 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 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.

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 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) 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 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 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 aspects 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 from 20-24 October 1997, in Rome. INC-4 considered the revised text of draft articles for the instrument.

INC-5: The fifth session of the INC 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 a draft resolution on interim arrangements.

THE DIPLOMATIC CONFERENCE OF 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 currently covers 31 chemicals, consisting of 21 pesticides, five severely hazardous pesticide formulations 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 decision guidance documents (DGDs) were circulated during the voluntary 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 a 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: The sixth session of the INC was held from 12-16 July 1999, in Rome. Approximately 300 delegates from 121 countries addressed arrangements for the interim period prior to entry into force of the Convention, and for the implementation of the interim PIC procedure. INC-6 resulted in the adoption of outline draft decisions on the definition and provisional adoption of the PIC regions – namely Africa, Europe, Asia, Latin America and the Caribbean, Near East, Southwest Pacific and North America – the establishment of an interim CRC, and the adoption of draft DGDs for chemicals already identified for inclusion.

ICRC-1: The first session of the Interim Chemical Review Committee (ICRC-1) took place in Geneva from 21-25 February 2000. The Committee, consisting of 29 government-designated experts in chemicals management from the seven PIC regions, agreed to recommend two chemicals – ethylene dichloride and ethylene oxide – for inclusion as pesticides in the interim PIC procedure, and forwarded draft DGDs for those chemicals to the INC for consideration. ICRC-1 also established a number of task groups that will work intersessionally on various issues related to the ICRC's operational procedures.

INC-7: The seventh session of the INC was held from 30 October to 3 November 2000, in Geneva. Over 230 delegates from 100 countries attended the meeting, which addressed, *inter alia*: implementation of the interim PIC procedure; issues arising out of the Conference



of Plenipotentiaries; and preparations for the COP, such as discontinuation of the interim PIC procedure and financial arrangements. Delegates also adopted DGDs for ethylene dichloride and ethylene oxide, as well as a policy on contaminants within chemicals.

ICRC-2: The second session of the ICRC (ICRC-2) was held in Rome from 19–23 March 2001. In light of discussion and adoption of a general policy on contaminants within chemicals by INC-7, the ICRC considered the DGD on maleic hydrazide. It also addressed: ICRC operational procedures; inclusion of monocrotophos in the interim PIC procedure; and the use of regional workshops to strengthen the links between designated national authorities (DNAs) and the work of the ICRC and the INC. It also forwarded recommendations to the INC on cooperation and coordination in the submission of notifications of final regulatory actions, and on the inclusion of monocrotophos in the interim PIC procedure.

INC-8 REPORT

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

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

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

Yuri Kundiev (Ukraine), Mohamed El Zarka (Egypt) and Bernard Madé (Canada) served as Vice-Chairs. Wang Zhijia (China) served as Rapporteur for the meeting. During the week, delegates convened in

Plenary, a Legal Working Group and Working Groups on Discontinuation of the Interim PIC Procedure and on Conflict of Interest in the ICRC.

ACTIVITIES OF THE SECRETARIAT: On Monday, 8 October, Jim Willis, Executive Secretary of the Convention, outlined “Activities of the Secretariat and review of the situation as regards extra-budgetary funds” (UNEP/FAO/PIC/INC.8/2 and INF/8), and reviewed the Secretariat’s work in support of the interim PIC procedure relating to, *inter alia*: information on nominating DNAs; circulation of DGDs; notifications of final regulatory actions to ban or severely restrict chemicals; and future import of chemicals.

Regarding the trust fund, Secretariat staffing and core budget issues, Willis said there was still a lack of finances for proposed workshops, and highlighted issues related to financial pledges and contributions, trust fund expenditures, interim Secretariat staffing, and the draft budget for 2003.

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

In the ensuing discussion, delegates deliberated on the Secretariat’s priorities. New Zealand requested that a higher priority be given to facilitating implementation and ratification, and, with the US and Cuba, called for a more detailed breakdown of the budget. The EC said that the prioritizing of issues would reduce work in other areas, and said that another Euro 100,000 would be made available next year. Malaysia and Argentina supported the Secretariat’s prioritization of activities. Delegates provisionally approved the budget, with facilitation and implementation activities given higher priority. This item was revisited on Friday, 12 October, and delegates approved the draft budget for 2003.

IMPLEMENTATION OF THE INTERIM PIC PROCEDURE

STATUS OF IMPLEMENTATION: On Monday, 8 October, Gerold Wyrwal, FAO, presented “Report on the status of implementation of the interim PIC procedure” ((UNEP/FAO/PIC/INC.8/3). He noted that to date, 21 pesticides, five severely hazardous pesticide formulations, and five industrial chemicals are subject to the interim PIC procedure, and highlighted the following:

- nomination of 253 DNAs by 165 countries;
- submission of notifications of final regulatory actions by two PIC regions for three new chemicals – DNOC, Dinoterb and Asbestos (amphibole) – which are scheduled for consideration by the next ICRC;
- submission of two proposals for severely hazardous pesticide formulations – Granox TBC and Spinox T – by Senegal; and
- availability of information on the number of submitted and verified import responses, together with a breakdown of the types of responses provided.



INTERIM CHEMICAL REVIEW COMMITTEE (ICRC):

Delegates discussed a number of issues related to the composition, procedures and tasks of the ICRC, including: confirmation of experts; report of the ICRC-2; adoption of DGDs; contaminants; issues associated with the operational procedures; inclusion of chemicals in the interim procedure; notifications; and conflict of interest.

Confirmation of Experts Designated for the ICRC: On Monday, 8 October, Niek van der Graaff, Executive Secretary of the Convention, announced that one of the ICRC experts had resigned after INC-7, and said that a new expert from Australia, representing the Southwest Pacific region, has been acting as an interim member of the ICRC (UNEP/FAO/PIC/INC.8/4). The INC confirmed his nomination.

Report of the ICRC-2: On Monday, 8 October, ICRC Chair Reiner Arndt (Germany) presented "Report of the ICRC at its second session" (UNEP/FAO/PIC/INC.8/5), held from 19-23 March 2001. He summarized the activities of the ICRC and its five intersessional task groups, and highlighted an ICRC recommendation to the INC that the pesticide monocrotophos become subject to the interim PIC procedure, noting that the ICRC would develop a draft DGD and forward it to the INC. The Plenary took note of the ICRC report.

Adoption of DGDs for Already Identified Chemicals: On Monday, 8 October, Arndt presented the ICRC recommendation on maleic hydrazide (UNEP/FAO/PIC/INC.8/6). The recommendation advocates that maleic hydrazide should not be subject to the interim PIC procedure, and recommends that manufacturers should submit confirmations that the level of free hydrazine in maleic hydrazide products is not more than 1 ppm.

Delegates discussed the ICRC recommendation on maleic hydrazide on Tuesday, 9 October. Delegates approved Chair Rodrigues' proposal that if the conditions were not met, the issue would be referred back to the ICRC. Switzerland proposed reconsidering the action if new information shows that maleic hydrazide products do not meet the standards. China and the Republic of Korea said that manufacturers should not be required to submit confirmations to the Secretariat if their products are only used domestically. The US stressed the role of DNAs in encouraging manufacturers to provide confirmations.

Final Decision: On Friday, 12 October, delegates adopted the final decision, which states, *inter alia*, that maleic hydrazide not be included in the interim PIC procedure, and that the decision be subject to written confirmation from all manufacturers engaged in international trade, including those that will be identified in the future. The decision states that these manufacturers have to submit confirmations that the level of free hydrazine in maleic hydrazide products is not more than 1 ppm, and that they comply with the FAO specifications for the potassium salt of maleic hydrazide. Previously identified manufacturers are to provide confirmations by 1 January 2002, and to comply with FAO specifications by 1 January 2004.

Contaminants: On Tuesday, 9 October, Arndt introduced this issue, addressed in the document on "Issues arising out of the second session of the ICRC" (UNEP/FAO/PIC/INC.8/7). Delegates considered whether to initiate further work on the issue of contaminants in industrial chemicals at this time, and agreed that although the issue is

important, it is not the highest priority, and recommended that in order to ensure the prudent use of ICRC resources, the issue should not be considered until the first such notification has been submitted.

Issues Associated with the Operational Procedures for the ICRC: On Tuesday, 9 October, Arndt presented the ICRC recommendations regarding cooperation and coordination in the submission of notifications of final regulatory actions in UNEP/FAO/PIC/INC.8/7, including: updating and resubmitting notifications that do not satisfy the criteria of the interim procedure; calling upon DNAs and NGOs to help identify the scope of ongoing international trade in certain chemicals; using Chemical Abstract Service (CAS) numbers and accurate chemical names by governments when submitting notifications; and considering whether countries can provide updated scientific data to support old notifications. The EC and Norway said that priority should be given to notifications of chemicals not yet covered by the PIC procedure. Argentina supported the recommendation to provide supplementary data, while Australia and the US requested that the ICRC further examine the issue.

Final Decision: The final decision of the INC, *inter alia*: urges countries to resubmit notifications of final regulatory actions that do not satisfy the information requirements of the interim PIC procedure; recognizes that governments might wish to prioritize chemicals not yet listed in the PIC procedure; calls upon NGOs and DNAs to delineate the scope of ongoing international trade on chemicals yet to be designated by the ICRC; and states that the issue of supplementary data in support of old notifications be examined by the ICRC on the basis of specific cases.

Inclusion of Chemicals in the Interim PIC Procedure: Chair Rodrigues reported that there are currently no chemicals that require inclusion in the interim PIC procedure.

Analysis of the Problems Frequently Encountered by Parties in their Preparation of Notifications: On Tuesday, 9 October, Bill Murray, interim Secretariat, presented "Analysis of problems frequently encountered by Parties in preparing notifications of final regulatory actions" (UNEP/FAO/PIC/INC.8/8 and UNEP/FAO/PIC/INC.8/INF/3), noting that 56 of 165 participating States have submitted notifications, and that of the 14 countries that had ratified the Convention as of 30 April 2001, only five had submitted notifications. Discussing a proposal to revise the notification form, Canada suggested that the Secretariat develop and distribute a model form. Cuba pointed out that problems faced by DNAs are due to training and capacity limitations, and, with Colombia, emphasized increased use of direct assistance. Jamaica stressed lack of laboratory capacities that also limit capacity for informed decision-making. Many delegates said it would be premature to change the form since the PIC procedure is still in its infancy.

Final Decision: The final decision does not endorse revising the form, but requests the Secretariat to give further guidance to DNAs, develop a more comprehensive guidance manual, and provide hands-on training through the regional workshops, and requests the ICRC to prepare an issue paper on compatibility of current regulatory practices with notification procedures. It also encourages countries to prioritize notifications for those chemicals not yet subject to the interim PIC procedure, and states that additional action will be considered in future if submission rates do not increase.



Submission of Notifications of Chemicals Already Subject to the PIC Procedure: On Tuesday, 9 October, Bill Murray presented the options to reconcile the need for information exchange with available resources, as contained in "Submission of notifications of final regulatory action for chemicals that are already subject to the interim PIC procedure" (UNEP/FAO/PIC/INC.8/9). The note highlights: continuation of submitting the full notifications; a two-track approach depending on the scientific basis for the national regulatory action; and no obligation to submit a notification for Parties that have provided an import response. He said possible action by the INC would be to, *inter alia*, consider whether to adopt a specific policy on this issue.

Final Decision: The final decision states that Parties should continue to submit full notifications for all regulatory actions on chemicals subject to the interim PIC procedure, with priority on the submission and verification of notifications of chemicals not yet included in the interim PIC procedure.

Conflict of Interest Procedures for the ICRC: On Tuesday, 9 October, Niek van der Graaff presented a proposed draft disclosure of interest form and procedure as contained in the document "Procedures and forms used to address matters such as conflict of interest, disclosure and recusal in scientific bodies or other organizations and conventions" (UNEP/FAO/PIC/INC.8/10). Antonio Tavares, interim Secretariat, outlined the document, describing the code of conduct of the Technology and Economic Assessment Panel (TEAC) under the Montreal Protocol, as well as the development of a form by the FAO and the WHO for the disclosure of information by experts. Delegates agreed that the conflict of interest issue is crucial to the functioning of the Convention and, following a suggestion by Chair Rodrigues, established a Working Group on Conflict of Interest with Gerardo Viña-Vizcaino (Colombia) appointed as Chair.

The Working Group met on Wednesday, 10 October, and Thursday, 11 October. On affiliation with industry, some delegates said that the ICRC experts should have no link to industry, while others stressed that governments have the right to designate such experts, although ICRC members should be made aware of one another's affiliations. Delegates also discussed issues of confidentiality, content of the declaration, and prevention of conflicts of interest. On content of the declaration, Australia suggested, and delegates agreed, to incorporate in the decision the components of the code of conduct of the Montreal Protocol. On details of the conflict of interest procedure, delegates agreed to adopt a model combining elements of procedures used under the Montreal Protocol and by the World Health Organization and the FAO. On the role of nominating governments, Niek van der Graaff said that the government should endorse the declaration. Delegates agreed that the designating government should play a principle role in preventing conflicts and reviewing the declaration. Delegates also recommended that the Secretariat discuss suitability of experts "with the designating government and the prospective expert, through the government, as appropriate." On disclosure of information from the declaration, prolonged discussion resulted in support for Canada and Australia's suggestion that information will be provided, to the extent necessary, to the INC, its Bureau and its subsidiary bodies. Australia called attention to the need for monitoring conflicts that might arise within experts' three-year tenure. The US suggested the declaration be

filled annually. Some felt it would result in too much administrative work, and recommended instead that all appointed experts immediately inform the Secretariat of any changes and conflicts of interest.

Final Decision: The final decision adopts conflict of interest procedures and the declaration of interest form, as contained in UNEP/FAO/PIC/INC.8/CRP.13, and emphasizes primary responsibility of governments and the need to evaluate the potential conflicts based on criteria set out in the declaration on a case-by-case basis and in a consistent manner. It recommends, *inter alia*, that ICRC members:

- establish a code of conduct and clear rules and procedures for preventing and dealing with conflicts;
- annually disclose their activities;
- act in a manner that will bear the closest public scrutiny; act in good faith for the best interest of the process;
- not solicit or accept any gifts, hospitality or other benefits from persons, groups or organizations having or likely to have dealings with the ICRC; and
- not knowingly take advantage of, or benefit from, information that is obtained in the course of their duties and responsibilities as an ICRC member.

The decision should be reviewed within five years after its adoption, or at the first COP, whichever comes first, and the procedure should come into effect immediately after the conclusion of INC-8.

PREPARATION FOR THE COP

DRAFT RULES OF PROCEDURE: On Tuesday, 9 October, Jim Willis recalled outstanding issues forwarded by INC-7 regarding draft rules of procedure, specifically with respect to: dates of meetings; participation of other bodies or agencies; election of officers; quorum; majority required; and method of voting for general matters. Chair Rodrigues referred the matter to the Legal Working Group.

On Thursday, 11 October, Legal Working Group Chair Patrick Szell (UK) presented the report on "Rules of procedure of the COP" (UNEP/FAO/PIC/INC.8/CRP.5), which recommends the following rules:

- on frequency of meetings, that the second and third COPs be held annually and every two years thereafter;
- regarding observers, that the original rule be accepted with a note on the importance of documentation for the COP being circulated well in advance;
- on the term of office, that the President and the Bureau be elected at the closure of the COP and serve until the closure of the following COP;
- on determining a quorum for a decision on a matter within the competence of a REIO, that the REIO is entitled to cast its votes in accordance with Article 23 (Voting); and
- that the rule on a secret ballot remain unchanged.

He noted that the rule on a two-thirds majority vote remained under review and that this would be revised. On Friday, 12 October, delegates agreed to forward the draft rules of procedure to COP-1.

SETTLEMENT OF DISPUTES: ARBITRATION AND CONCILIATION: On Friday, 12 October, Patrick Szell introduced the Working Group's report on "Settlement of disputes: arbitration and conciliation" (UNEP/FAO/PIC/INC.8/CRP.8). He said the Group agreed on procedures for arbitration and conciliation with the excep-



tion of one issue regarding timeframes. He noted that the Group had used the Biodiversity Convention model as a precedent, but that they had added three paragraphs to the conciliation procedure regarding confidentiality, timeframes and costs. He said the procedures address, *inter alia*: how an arbitration tribunal or conciliation committee is triggered; the establishment of the tribunal or committee and how the bodies will operate; interim measures; counterclaims; voting; and provisions for costs, timing and nature of committee decisions. He reiterated that the key difference between the two is that the arbitration tribunal delivers binding decisions, while the conciliation committee decisions would be in the form of recommendations.

He noted that the sole outstanding issue relates to the proposed procedure to be adopted should the Parties or the arbitrators fail to appoint people to the tribunal or committee in time. He said the delegates failed to agree on the two-month suggested timeframe for the UN Secretary-General to designate an arbitrator if a party to the dispute does not appoint an arbitrator within two months. The Group also left unresolved the two-month timeframe for the UN Secretary-General to designate a President of the tribunal, if an appointment is not made within two months of the appointment of the second arbitrator. Chair Szell also noted an additional request inviting the CRC to advise on the possible effects on a claimant State that might arise through a delay in making such an appointment. He said this request could be registered in the report of the meeting. The EC said it could go along with the proposed procedures, but noted that it would have preferred a more binding and compulsory mechanism as in other MEAs, and asked that this be reflected in the report of the meeting. Delegates agreed to revisit the issue of arbitration and conciliation at INC-9.

DRAFT FINANCIAL RULES AND PROVISIONS: On Tuesday, 9 October, Jim Willis introduced the "Draft financial rules and provisions" (UNEP/FAO/PIC/INC.8/12), as requested by INC-7, noting that the rules are comprised of a set of draft rules and an assessment methodology. Chair Rodrigues invited general comments, but noted that the Legal Working Group would deal with the issue in more detail. The EC and Norway expressed qualified support for the draft rules. Iran suggested that delimitations on total contributions be subject to future negotiations. Chair Rodrigues noted that any final decision rests with the COP. The US suggested that alternative assessment methodologies be considered and stressed that no financial obligations are binding.

On Friday, 12 October, Patrick Szell, reporting on the "Financial rules of procedure" (UNEP/FAO/PIC/INC.8/CRP.12), said that every provision had been agreed to, but that three matters will need to be revisited. He noted that the Group used the financial rules under the climate change and desertification conventions as precedents. He highlighted a general fund, dealing with core expenses for the operation of the Convention and its Secretariat, and a special fund dealing with contributions made in an earmarked manner by developed countries for participation of developing countries and countries with economies in transition (CEITs) in meetings of the Convention. He also noted that subject to the COP's approval, other trust funds may be established if necessary. Chair Szell noted there was no agreement over whether CEITs should benefit from this fund. Regarding the establishment of trust funds, the Group also left for further consideration the issue of whether the trust fund would be set up by UNEP, the

FAO or both. Szell also pointed to a footnote referring to a yet-to-be-specified percent of the total resources of the COP that should not be exceeded by any one contribution. Chair Rodrigues said that the outstanding issues would be revisited at INC-9, and recalled the Group's request that the Secretariat address the matter of the management of the trust fund. Samoa bracketed a reference that no contribution from a least developed country Party exceeds .01% of the total resources of the COP.

ASSIGNMENT OF SPECIFIC HARMONIZED SYSTEM CUSTOMS CODES: On Tuesday, 9 October, Jim Willis presented the document on "Assignment of specific harmonized system customs codes" (UNEP/FAO/PIC/INC.8/18), and outlined the Secretariat's cooperation with the World Customs Organization (WCO). He stressed that in order to avoid delaying the assignment of Harmonized System codes until 2012 or later, the Convention should enter into force by 2004. Kenya, Nigeria and Senegal called for capacity building of the customs officers and DNAs. Australia recalled a single high-level code proposal. Canada and the US discussed more specific codes. Colombia suggested working with the World Trade Organization. Canada and the EC offered to share their experiences of working on codes. Responding to the comments, Jim Willis said a single high-level code would not be acceptable to the WCO, and noted UNEP's work on capacity building for customs officers. Chair Rodrigues suggested: requesting that the Secretariat pursue work with the WCO; inviting countries working with the codes to share experiences and cooperate with the Secretariat; and striving to meet the WCO deadline of 2004 by promptly ratifying the Convention. The INC agreed.

DISCONTINUATION OF THE INTERIM PIC PROCEDURE: Delegates discussed discontinuation of the interim PIC procedure in a Working Group on Wednesday, 10 October and Thursday 11 October. The Group was co-chaired by André Clive Mayne (Australia) and Gamini Manuweera (Sri Lanka). Co-Chair Mayne explained that the mandate of the Working Group was either to propose options, or to endorse feasible solutions, on issues raised at INC-7 (UNEP/FAO/PIC/INC.8/16). In Plenary on Friday, 12 October, Working Group Co-Chair Mayne introduced the "Report on Discontinuation of the Interim PIC Procedure," (UNEP/FAO/PIC/INC.8/CRP.11). He noted that the Working Group failed to agree on: composition of the PIC regions; failure to transmit an import response for chemicals subject to the interim PIC procedure, but not yet listed in Annex III; submission of proposals for severely hazardous pesticide formulations after entry into force; how to treat notifications and proposals from participating States in the interim period; and how to treat non-Parties after discontinuation of the interim PIC procedure. Chair Rodrigues explained that they would be placed on the INC-9 agenda.

The Working Group reached consensus on the following issues, which will serve as recommendations to COP-1:

- neither the INC nor the ICRC will convene following COP-1;
- the composition of the CRC will be based on the PIC regions adopted at COP-1;
- all the chemicals included in the interim PIC procedure prior to the entry into force of the Convention, but not yet listed in Annex III, will be added to Annex III;
- the point of reference for the status of import responses for chemicals listed in Annex III, as well those subject to the interim



PIC procedure, but not yet listed in Annex III, will be the date of the Convention's entry into force;

- notifications of final regulatory actions and proposals for severely hazardous pesticide formulations submitted by non-Parties during the interim PIC procedure be included in Annex III;
- the interim PIC procedures be used during the Convention PIC procedure, subject to change by the COP;
- and the transition period be limited to two years.

NON-COMPLIANCE: On Wednesday, 10 October, Masa Nagai, interim Secretariat, presented the documentation on non-compliance (UNEP/FAO/PIC/INC.8/14, INC.8/15 and INC.8/INF/2). He outlined two components of a possible non-compliance model: an institutional mechanism, and a model of procedure. Chair Rodrigues opened the floor for comments, but requested that the negotiating positions be considered in full detail by the Legal Working Group. Most delegates agreed that the mechanism should encourage and facilitate compliance to the maximum extent possible. The EC said that compliance should include a strong enabling component and a range of "soft and stringent" measures in cases of non-compliance. China, supported by Australia, said the mechanism should be based on simplicity, transparency, timeliness and predictability. Australia, with New Zealand, emphasized that the compliance mechanism should be facilitative and not penalty-based.

On reporting, the EC said that while the Secretariat note was a good starting point for discussion, further examination is necessary. Canada said that voluntary reporting would encourage compliance. Australia expressed interest in further examination of reporting, but stressed that it should not impose burdens on Parties. Iran said the mechanism should also include a punitive dimension. Benin proposed that the compliance mechanism should include both "carrot and stick" provisions.

In Plenary on Friday, 12 October, Patrick Szell summarized the discussion that took place in the Group. He said that the Group used the proposed model for handling non-compliance, as presented in UNEP/FAO/PIC/INC.8/14, as a basis for discussion. He noted that some delegates proposed a mechanism with a facilitative approach, while others preferred one that also included a supervisory feature. He said some supported an independent compliance regime, with others preferring COP involvement in the decision-making process, and noted that this issue would be resolved once the compliance regime is decided upon. He noted that the issue of membership had been discussed, and that agreement was reached on the need for balance: geographically; between developed and developing countries; and between importing and exporting countries. He also said that delegates should further consider whether the compliance proceedings should be open or closed, but reiterated that any reports of the compliance committee would be put forward to the COP.

He flagged three issues critical to determining a compliance regime: who will trigger the process; whether the body will deliver hard or soft consequences; and issues related to monitoring and reporting. He said the Group agreed it should reconvene at INC-9 to further discuss compliance, and recommended that the Secretariat should synthesize the ideas brought forward at INC-8 with the existing

documentation and prepare a revised background paper. The Group suggested that any further written comments may be forwarded by countries to the Secretariat by 31 March 2002.

Chair Rodrigues proposed that the INC approve the Group's suggestions to: register that discussions took place; further take up the issue at INC-9 in a working group; and request the Secretariat to prepare a background paper. Canada and the EC supported the proposals. Canada recalled its proposal regarding reporting, and asked that governments contribute their views on this issue. The EC reiterated its support for an independent compliance body, with a wide range of measures and a "carrot and stick" approach. He also supported taking into account progress on compliance in other bodies, stressed coherence in this regard, and underscored the importance of the UNEP process on international environmental governance and its emphasis on increased compliance. On behalf of several delegations, and with Iran, he expressed gratitude for the excellent chairmanship of Patrick Szell. Iran emphasized that the new document produced by the Secretariat must be neutral. Jim Willis clarified that the new document would use UNEP/FAO/PIC/INC.8/14 as a starting point, integrate comments from Plenary and the Working Group, and represent the range of views received, but would not try to resolve any differences

ISSUES ARISING OUT OF THE CONFERENCE OF PLENIPOTENTIARIES

SUPPORT FOR IMPLEMENTATION: On Friday, 12 October, Chair Rodrigues initiated discussion on issues arising out of the Conference of Plenipotentiaries, inviting Niek van der Graaff to present the issues relating to support for implementation. Van der Graaff also said that widespread interest in synergizing the implementation of the chemicals-related MEAs, notably with the Stockholm and Basel Conventions. Van der Graaff noted that workshops intended to encourage implementation of the PIC Convention are being planned for Francophone Africa in Dakar, Senegal, tentatively scheduled for the end of January 2002, as well as for Eastern Europe, Western Asia and the Caribbean. He also noted that the workshops must target implementation, and said that issues falling outside the purview of the PIC Secretariat would need to be addressed with the aid of funding from other multilateral funding agencies. Responding to a request for guidance materials for DNAs voiced earlier in the session, Van der Graaff assured that work to this end would commence in the forthcoming year. He also announced that delegates can expect a functional PIC database-supported website in the near future as UNEP and FAO are currently harmonizing their existing PIC websites to this end.

The EC acknowledged the importance of subregional implementation workshops and recommended that, in order to achieve their maximum effectiveness, countries seeking to benefit from workshops clearly articulate their needs. He recommended that African, Caribbean and Pacific (ACP) countries articulate their PIC implementation needs and their environmental goals in light of the Cotonou Agreement process, a trade and aid pact between 77 ACP countries and the European Union. The EC also mentioned the success of a recent joint PIC implementation project involving the EC and DNAs from Argentina and Thailand, and suggested that other countries could learn from this experience. The Ukraine said that an Eastern and Central European implementation workshop to which parliamentarians would be invited to attend would not only improve implementation, but would also



expedite ratification. Jamaica said that Switzerland had agreed to sponsor an implementation workshop for English-speaking Caribbean countries. Concurring, Switzerland noted that it was too soon to provide any details on the meeting.

DISPUTE SETTLEMENT, ILLICIT TRAFFICKING AND RESPONSIBILITY AND LIABILITY: Jim Willis introduced the note "Dispute settlement, illicit trafficking and responsibility and liability" (UNEP/FAO/PIC/INC.8/INF/6), explaining that INC-7 had requested a working group on illegal trafficking under the Inter-Organization Programme for the Sound Management of Chemicals (IOMC). He said that a preliminary meeting of the IOMC Working Group, held in August 2001, had agreed that a broader meeting was required. Willis noted that the meeting is tentatively scheduled for December 2001, and that the PIC Secretariat will attempt to attract broad representation from, *inter alia*, the World Health Organization, the International Labor Organization, and the UN Institute for Training and Research (UNITAR). Willis also noted ongoing UNEP efforts on matters of dispute settlement, responsibility and compliance with MEAs, and noted that draft guidelines on compliance with and enforcement of MEAs are to be presented to an Intergovernmental Working Group of Experts on this issue in October 2001. There were no comments from delegates on this issue.

LOCATION OF THE SECRETARIAT: On Monday, 8 October, presentations were given by the German government and the Swiss/Italian governments outlining their offers to host the permanent Secretariat. The German Ministry for the Environment, Nature Conservation and Nuclear Safety presented its offer to host the permanent Secretariat in Bonn. The German government stated they would provide: long-term, rent-free office space; a voluntary amount of DM 1 million annually to the Secretariat in addition to the obligation as a contracting Party; DM 1 million annually for PIC events held in Germany; and an additional DM 1 million for a relocation allowance. Germany stressed that its offer to host a unified PIC Secretariat and the Stockholm Convention Secretariat at one location would yield important synergies and enhance efficiency. They said the offer for both the PIC and Stockholm Convention Secretariats would total DM 4 million annually. They also emphasized Bonn's reputation as a city of international prominence, and the existing presence in Bonn of several environment-related UN agencies, organizations, and convention secretariats, including the UN Framework Convention on Climate Change and the UN Convention to Combat Desertification. The German government also drew attention to its strong domestic commitment to resolving environmental problems, peacemaking and multilateralism, underscoring the complementary nature of the UN system and German foreign policy. As a further demonstration of its commitment, Germany reiterated its invitation to host INC-9.

Switzerland and Italy then made a joint offer to host the permanent Secretariat, stating that this would build on existing successful structures, and ensure synergies, efficiency, cost effectiveness and convenience. Switzerland then drew attention to the presence in Geneva of the Basel Convention Secretariat, UNEP Chemicals, the interim Stockholm Convention Secretariat, and 25 environmental NGOs, and said that locating the Secretariat in Rome and Geneva was based on necessity, not on political considerations. He guaranteed an annual contribution of Euros 1.2 million, and an initial payment by Switzer-

land of Euros 100,000 to consolidate the infrastructure of the Secretariat. He highlighted that both Italy and Switzerland house many related international organizations, including UNEP, the FAO, the World Trade Organization and the World Health Organization. He recalled the recent UNEP decision on international environmental governance, which aims to better coordinate the work of MEAs, and said co-locating the chemicals-related conventions would help achieve this aim. He also noted the presence of many chemicals experts, trade representatives and missions in Rome and Switzerland.

On Friday, 12 October, Chair Rodrigues invited delegates to clarify any outstanding issues pertaining to the offers made by Germany and Switzerland/Italy to host the permanent Secretariat. Egypt asked whether or not the proposals provided implementation-related financial assistance to developing countries. Germany replied that in the last 10 years it had provided DM 100 million in aid to developing countries. Switzerland replied that it was willing to discuss possible sub-regional implementation workshops for developing countries and noted that in the last few years it had provided over CHF 50 million in aid to developing countries. Argentina drew attention to the efforts of the international environmental governance process to establish operational synergies within the chemicals-related MEA cluster, and said that selection of the permanent Secretariat's location should not impede this process. Switzerland expressed support for this viewpoint. Germany added that the synergies should include all MEAs, not simply those in the chemicals cluster.

STATUS OF SIGNATURE AND RATIFICATION OF THE CONVENTION

On Friday, 12 October, Elena Sobakina, interim Secretariat, summarized "Status of signature and ratification of the Convention" (UNEP/FAO/PIC/INC.8/INF/1). She noted that as of the end of September, 16 ratifications had been deposited. She said that in preparing for INC-8, the Secretariat had circulated letters to all Convention Signatories and countries that did not sign the Convention requesting information on the internal status of ratification. She explained that this survey is to be done each year by the Secretariat, with the results to be presented to the INC.

Nepal said it had started the ratification process and requested UNEP to allocate funds for capacity building for ratification and implementation. Norway announced that an instrument of approval had been signed and should be deposited in the near future. South Africa stated its intention to ratify the Convention before the September 2002 World Summit on Sustainable Development. Thailand, Italy, Niger and Madagascar said ratification in their countries was expected in early 2002. Mexico and Argentina said their ratification processes were underway. Rwanda stated its intention to conclude the accession process by the end of the year. Switzerland said its parliament had approved the ratification and that the instrument will be deposited in due time.

OTHER MATTERS

Chair Rodrigues introduced a document outlining Germany's offer to host INC-9 in Bonn (UNEP/FAO/PIC/INC.8/CRP.1). Germany explained that the government is willing to provide up to DM 1.5 million for the session and expects that the full cost of the conference will be met by this offer, and suggested that the funds usually allotted



for the conference can be used for additional initiatives to help ratification and implementation of the Convention, especially in developing countries. Delegates welcomed the offer and agreed that INC-9 would be held from 30 September to 4 October 2002, in Bonn.

CLOSING PLENARY

On Friday, 12 October, delegates discussed the report of the meeting, as contained in UNEP/FAO/PIC/INC.8/L.1 and UNEP/FAO/PIC/INC.8/L.1/Add.1. Regarding status of implementation, the EC asked for language to reflect that while trends regarding completed notifications were encouraging, there was some concern about import responses, where there was an overall response rate below 50%. He also added that in cases of failure to transmit a response, it would be better if the Secretariat offered assistance in accordance with Article 10(3) of the Convention. He also suggested that the reasons for the low response rate should be analyzed as had been done in relation to notifications.

Regarding maleic hydrazide, the EC and China suggested stating language that all manufacturers engaged in the international trade in maleic hydrazide, including those yet to be identified in future, have to submit confirmations. On analysis of problems in presenting notifications, the EC stressed the need for language stating that, with regard to the INC-7 decision, countries should be encouraged to prioritize notifications for those chemicals that are not yet subject to the interim PIC procedure.

On submission of notifications for chemicals already subject to PIC procedure, the US suggested deleting language stating that the option of submitting full notifications should be used until the need for a different approach becomes evident. Regarding the section on non-compliance, Australia added text stating that one representative supported the approach for self-invocation outlined in the Secretariat's paper, but did not support invocation by another Party. Argentina asked that the results of the compliance discussion be added into the report in time for the meeting of experts on compliance in MEAs to be held from 22-26 October, in Nairobi.

Regarding assignment of specific Harmonized System customs codes, Canada asked for language taking note that one Party submitted the customs codes it used for PIC chemicals and invited other countries to do the same.

On behalf of the Group of Latin American and Caribbean Countries (GRULAC), Bolivia urged the interim sessions to continue providing information in the six official UN languages, and said all languages should be used in the main and subsidiary bodies once the Convention enters into force. He stressed training and institution building to motivate countries to implement the convention. He said that GRULAC countries were continuing to promote assessments and review of the Convention.

Nigeria, on behalf of the African Group, introduced "The African position on issues of concern relating to the Rotterdam Convention" (UNEP/FAO/PIC/INC.8/CRP.15). He said the African Group hoped that the Convention would enter into force before the World Summit on Sustainable Development, and said that African countries would commit to undertake the necessary steps to effect early ratification of the Convention.

Regarding ratification, he said African countries agreed to: prioritize the ratification of the Convention; promptly start preparations for the implementation of the Convention; request the interim Secretariat and countries with necessary capacity to assist developing countries and CEITs in ratifying the Convention; and to request the interim Secretariat to address the issue of ratification to the African Environmental Ministers at their meeting in November.

Regarding compliance, the African Group called for a compliance mechanism that is both facilitative and that creates legally binding consequences for non-compliance. He stressed the importance of assistance in building the necessary infrastructure, capacity, legal and regulatory framework, and enforcement regime to implement the Convention, and said a compliance committee should consist of a facilitative and enforcement branch. Regarding procedures, he said countries that require assistance should submit a "Request for Assistance" to the Secretariat, which should include: a comprehensive implementation strategy; priorities for support; and details of assistance required. Regarding the monitoring of progress by a compliance committee, he said the monitoring system should require: the Party that failed to comply with the provisions of the Convention to submit a detailed compliance restoration plan; and that the Party implementing the plan should regularly report on progress. In conclusion, he expressed appreciation to all regional bodies, particularly the EC, and gratitude to the Secretariat, in particular Jim Willis and Niek van der Graaff.

Chair Rodrigues said the comments made by GRULAC and the African Group would be referred to under the section on other matters. She asked for language in the meeting report recognizing the work carried out by Legal Working Group Chair Patrick Szell, in particular regarding his contribution to the PIC procedure process, noting that he was instrumental in pushing through much of the work and in interpreting its complexity.

Delegates then adopted the report of the meeting on the understanding that it will be modified based on suggested oral and written amendments, and that it will reflect the discussions held in Friday morning's Plenary and in the working groups.

In conclusion, Chair Rodrigues thanked delegates for the manner in which they adhered to the stringent and limited timetables. She also called attention to the fact that the UN and UN Secretary-General Kofi Annan had recently received the Nobel Peace Prize and said that in its own, small way the INC was contributing to peace. Chair Rodrigues closed the meeting at 5:00 pm.

A BRIEF ANALYSIS OF INC-8

Delegates from 115 countries gathered in Rome for INC-8 to continue fine-tuning the mechanics of the Rotterdam Convention, with the session proceeding amicably as participants made rapid progress through the agenda, keeping their disagreements to a manageable minimum. Although the PIC process tends to receive less fanfare and attention than most of the other more controversial MEAs, the progress that is made with ratification of this Convention has important connections for other international environmental processes. As the administrative issues associated with implementation of Convention PIC procedure are methodically resolved, some of the core issues



underlying the slow progress toward ratification have been brought to light. This analysis will briefly examine the connection between the developments with the Rotterdam Convention and other global environmental processes, as well as identifying some of the issues related to progress toward ratification of the Rotterdam Convention.

FEEDING INTO THE INTERNATIONAL ENVIRONMENTAL GOVERNANCE PROCESS

Reference to the UNEP international environmental governance process cropped up during discussions on where to locate the permanent Secretariat. Not surprisingly, both contenders – the German government, and the Swiss and Italian governments – lauded the benefits of hosting the Secretariat in a city where other chemicals-related agencies or NGOs are located. The interest in clustering the chemicals-related conventions is a likely outgrowth of the governance process, with governments stressing the need for coordination and synergies. This is of particular importance in the lead-up to the World Summit on Sustainable Development (WSSD) to be held in Johannesburg, South Africa in September 2002, where environmental governance will be on the agenda and governments will want to point to successful steps towards improved governance.

Along this vein, Chair Rodrigues made clear at the outset of INC-8 her expectation that countries will faithfully endeavor to ratify the Rotterdam Convention prior to the WSSD. As such, in the course of formal discussion, as well in the corridors, this became a recurring theme, yet one on which there was seemingly no consensus. Many of the more optimistic observers speculated that with the right combination of incentives, achieving 50 ratifications in time for the WSSD was a feasible prospect. This was counter-balanced, however, by a larger contingent of less optimistic, and perhaps more realistic, opinions that this will take considerably more time to achieve. Among those brave enough to speculate, some offered that the Convention could enter into force as early as the end of 2003, while others suggested that an additional two years of negotiation were required at the very least. One delegate called attention to the number of elections in Latin American countries in 2002, which keep parliamentarians busy with other matters.

RATIFICATION ISSUES

Whatever the case, many confirmed that the main impediment to full ratification is not unresolved issues in the PIC process – many outstanding issues could conceivably coexist with an operating Convention. Rather, several stated that bringing domestic legislation and practice in line with the Convention was a considerably tougher task and thus one that is likely to retard the ratification process. However, one thing is for certain: as the number of ratifications increases, so too does the incentive for other States to ratify the Convention. Many at INC-8 said that the fear of entering COP-1 with non-Party status was likely to catalyze the ratification process. In any event, INC-9 has been scheduled for 30 September to 4 October 2002, a date to which most have tuned their sights.

In addition, there were indications from some governments that interest is more focused on ratification of the POPs Convention, which has not only attracted more international attention, but also gives strong financial incentives to ratify. This is a factor lacking with the PIC Convention, and unsurprisingly, was a strong but underlying current during the session.

DEVELOPING COUNTRIES CONTEMPLATE RATIFICATION

Despite the extent of their participation, many developing countries maintain reservations that their concerns are not being met. Among these are the questions of financial and technical assistance and capacity building. The offer by developed countries to provide subregional implementation workshops in developing countries and countries with economies in transition addresses this need, in part. However, many developing countries feel that more could be done; for instance, having suitable laboratory space and chemical testing facilities would greatly strengthen their participation in the PIC process, yet funds for these are not readily available. To explain why this is so, many delegates have suggested the difficulty in drawing a strong causal link between PIC ratification and participation, and poverty reduction, the central objective for most state and multilateral funding agencies.

Some developing countries were also concerned that there exists insufficient momentum inside the PIC process to more seriously examine the issue of illicit trafficking in chemicals and pesticides. Notwithstanding the efforts by the PIC Secretariat to generate this momentum, the failure to address this issue is likely to have measurable consequences in developing countries, particularly as much of the illegal trade in hazardous substances is destined for these regions.

A different perspective was offered by one developing country representative, who suggested that developing countries themselves were partly responsible to blame as they were not taking sufficient advantage of the available resources. While acknowledging that capacity was a problem, she stressed that lack of coordination between ministries was also a significant constraint. To rectify this issue, some were taking the initiative and tracking down the necessary information about ratification from the FAO Legal Office, in particular. Also encouraging was the strong presence of first-time delegates, gathering information to inform their governments about the importance of the Convention and its ratification.

With many of the more technical issues resolved at this session of the INC, there is ample opportunity for these issues to be addressed at future sessions and for advancement toward entry into force of the Convention, and, in the bigger picture, for further contributions to the global environmental policy arena. This tone was aptly punctuated when, at the close of INC-8, Chair Maria Celina de Azevedo Rodrigues offered a word of inspiration after learning that UN Secretary-General Kofi Annan and the United Nations had received the 2001 Nobel Peace Prize. "However small," she said, "the PIC process is contributing to peace."



THINGS TO LOOK FOR

FIRST INTERGOVERNMENTAL MEETING OF EXPERTS TO DEVELOP GUIDELINES ON COMPLIANCE AND ENFORCEMENT OF MEAS:

This meeting will be held from 22-26 October 2001, in Nairobi, Kenya. For more information, contact: D. Kaniaru, UNEP Division on Environmental Policy and Implementation (DEPI); tel: +254-2-62-3507; fax: +254-2-62-4249; e-mail: donald.kaniaru@unep.org; Internet: <http://www.unep.org>

17TH ANNUAL INTERNATIONAL CONFERENCE ON CONTAMINATED SOILS, SEDIMENTS AND WATER:

This conference will be held from 22-25 October 2001, in Amherst, Massachusetts, US. Topics to be covered include bioremediation, chemical analysis, cleanup standard setting, environmental fate and modeling, hazard exposure and risk assessment, hydrocarbon identification and innovative technologies. For more information, contact: Denise Leonard, University of Massachusetts; tel: +1-413-545-1239; fax: +1-413-545-4692; e-mail: info@UMassSoils.com; Internet: <http://www.umasssoils.com/papers.htm>

OECD/UNEP WORKSHOP ON THE USE OF MULTI-MEDIA MODELS IN SCREENING PBTS/POPS FOR OVERALL PERSISTENCE AND LONG-RANGE TRANSPORT:

This meeting is scheduled to be held from 29-31 October 2001, in Ottawa, Canada. For more information, contact: UNEP Chemicals (IRPTC); tel: +41-22-917-8193; fax: +41-22-797-3460; e-mail: pops@unep.ch; Internet: <http://irptc.unep.ch/pops/>

INTERNATIONAL WORKSHOP ON ENVIRONMENTAL RISK ASSESSMENT OF PESTICIDES AND INTEGRATED PESTICIDE MANAGEMENT IN DEVELOPING COUNTRIES:

This workshop will take place from 6-9 November 2001, in Katmandu, Nepal. The workshop will cover all aspects of pesticides and their agricultural use. For more information, contact: Dr. A. Herrmann, Technical University Braunschweig, Germany; tel: +49-531-391-5607; fax: +49-531-391-8170; e-mail: ipmktm@tu-bs.de; Internet: <http://www.tu-bs.de/institute/igg/physhyd/workshop.html>

EXPERT MEETING ON TERMITE MANAGEMENT: This meeting is scheduled to be held from 14-16 November 2001, in Geneva, Switzerland. For more information, contact: UNEP Chemicals (IRPTC); tel: +41-22-917-8193; fax: +41-22-797-3460; e-mail: pops@unep.ch; Internet: <http://irptc.unep.ch/pops/>

WORKSHOP TO PROMOTE SUSTAINABLE ALTERNATIVES TO POPS PESTICIDES: This workshop is tentatively scheduled to take place in East Africa from 19-22 November 2001. For more information, contact: UNEP Chemicals (IRPTC); tel: +41-22-917-8193; fax: +41-22-797-3460; e-mail: pops@unep.ch; Internet: <http://irptc.unep.ch/pops/>

SECOND SESSION OF THE SUB-COMMITTEE OF EXPERTS ON THE GLOBALLY HARMONIZED SYSTEM OF CLASSIFICATION AND LABELING OF CHEMICALS:

This meeting is being held from 12-14 December 2001, in Geneva, Switzerland. Subsequent meetings of the Sub-Committee are scheduled to take place on 12 July and in December of 2002. For more information, contact the UNECE Transport Division, tel: +41-22-907-2401; fax: +41-22-917-0039 / 89; Internet: <http://www.unece.org/trans/main/dgdb/dgsubc4/c4age.html>

THIRD MEETING OF THE INTERIM CHEMICAL

REVIEW COMMITTEE (ICRC-3): ICRC-3 is expected to meet from 18-22 February 2002, in Geneva, Switzerland. For more information, contact: Gerold Wyrwal, FAO; tel: +39-6-5705-2753; fax: +39-6-5705-6347; e-mail: gerold.wyrwal@fao.org; or Jim Willis, UNEP Chemicals, Geneva; tel: +41-22-917-8111; fax: +41-22-797-3460; e-mail: chemicals@unep.ch; Internet: <http://www.pic.int/>

SIXTH SESSION OF THE POPS INTERGOVERNMENTAL NEGOTIATING COMMITTEE:

The sixth session of the Intergovernmental Negotiating Committee for an International Legally Binding Instrument for Implementing International Action on Certain Persistent Organic Pollutants (POPS INC-6) will be held from 17-22 June 2002, in Geneva, Switzerland. For more information, contact: UNEP Chemicals (IRPTC); tel: +41-22-917-8193; fax: +41-22-797-3460; e-mail: pops@unep.ch; Internet: <http://irptc.unep.ch/pops/>

JOINT FAO-WHO MEETING ON PESTICIDE RESIDUES:

The 27th Session of 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) is scheduled for 20-29 September 2002, in Rome, Italy. For more information, contact: Amelia Tejada, FAO; tel: +39-6-5705-4010; fax: +39-6-5705-6347; e-mail: Amelia.Tejada@fao.org; Internet: <http://www.fao.org/waicent/FaoInfo/Agricult/AGP/AGPP/Pesticid/Events/c.htm>

FAO PANEL OF EXPERTS ON PESTICIDE SPECIFICATIONS, REGISTRATION REQUIREMENTS, APPLICATION STANDARDS AND PRIOR INFORMED CONSENT:

The 19th session of the Panel is scheduled for 27-29 October 2002, in Rome, Italy. For more information, contact: Gero Vaagt, FAO; tel: +39-6-5705-5757; fax: +39-6-5705-6347; e-mail: Gero.Vaagt@fao.org; Internet: <http://www.fao.org/waicent/FaoInfo/Agricult/AGP/AGPP/Pesticid/Events/c.htm>

PIC INC-9: The ninth session of the Intergovernmental Negotiating Committee for an International Legally Binding Instrument for the Application of the Prior Informed Consent Procedure for Certain Hazardous Chemicals and Pesticides in International Trade is tentatively scheduled for 30 September to 4 October 2002, in Bonn, Germany. For more information, contact the interim Secretariat: Niek van der Graaff, FAO; tel: +39-6-5705-3441; fax: +39-6-5705-6347; e-mail: Niek.VanderGraaff@fao.org; or Jim Willis, UNEP Chemicals; tel: +41-22-917-8111; fax +41-22-797-3460; e-mail: chemicals@unep.ch; Internet: <http://www.pic.int/>

BASEL CONVENTION COP-6: The sixth Conference of the Parties (COP-6) to the Basel Convention is scheduled to be held from 9-13 December 2002 in Geneva, Switzerland. For more information, contact: Secretariat of the Basel Convention; tel: +41-22-979 8218; fax: +41-22-797 3454; e-mail: bulskai@unep.ch; Internet: <http://www.unep.ch/basel>

FOURTH SESSION OF THE INTERGOVERNMENTAL FORUM ON CHEMICAL SAFETY (IFCS):

FORUM IV is scheduled to be held in Thailand in 2003, with FORUM V taking place in Hungary in late 2005 or 2006. For more information, contact: the IFCS Executive Secretary; tel: +41-22-791-3650; fax: +41-22-791-4875; e-mail: ifcs@who.ch; Internet: <http://www.who.int/ifcs>