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**Rotterdam Convention on the Prior
Informed Consent Procedure for Certain
Hazardous Chemicals and Pesticides in
International Trade
Conference of the Parties
First meeting
Geneva, 20–24 September 2004
Item 6 (a) of the provisional agenda****

**Matters stipulated by the Convention for action
by the Conference of the Parties at its first meeting:
composition of the PIC regions**

Composition of the PIC regions

Note by the secretariat

I. Introduction

1. Article 5, paragraph 5, of the Rotterdam Convention states:
“The composition of the prior informed consent regions shall be defined in a decision to be adopted by consensus at the first meeting of the Conference of the Parties.”
2. Discussion of the composition of the prior informed consent (PIC) regions occurred at the sixth, seventh, eighth and ninth sessions of the Intergovernmental Negotiating Committee.

* Reissued for technical reasons.

** UNEP/FAO/RC/COP.1/1.

II. Background

3. In paragraph 5 of the resolution on interim arrangements adopted by the Conference of Plenipotentiaries on 11 September 1998¹, the Conference invited the Intergovernmental Negotiating Committee to develop, based on the regions of the Food and Agriculture Organization of the United Nations (FAO), the decision referred to in paragraph 5 of article 5 of the Rotterdam Convention, and to adopt this decision on an interim basis pending its formal adoption at the first meeting of the Conference of the Parties.

4. At its sixth session, the Intergovernmental Negotiating Committee in Decision INC-6/1 agreed to base the interim PIC regions on the FAO regions, with the assignment of participating states which were not members of FAO to appropriate regions, respecting their natural geographical affinities and with the proviso that such adoption was on an interim basis only and that the final determination of PIC regions would be made by the Conference of the Parties. Decision INC-6/1, listing interim PIC regions, is contained in annex I to the present note.

5. At its seventh session and in subsequent written comments, the Intergovernmental Negotiating Committee noted that the seven interim PIC regions had met the needs of the interim PIC procedure and that they should also meet the needs of the Convention PIC procedure. The maintenance of the existing PIC regions would both build on the progress achieved under the interim PIC procedure and facilitate the transition to the Convention PIC procedure. The seven regions also facilitate the identification of candidate chemicals by broadening the possibility of having at least one verified notification of final regulatory action from each of two PIC regions, in line with article 5, paragraph 5, of the Convention (UNEP/FAO/PIC/INC.9/18, para. 13).

6. It was agreed by the working group on discontinuation of the interim prior informed consent procedure established at the eighth session of the Intergovernmental Negotiating Committee that the experience gained with the interim PIC regions should be given full consideration by the Conference of the Parties in deciding on the PIC regions. Some participants indicated concern that at the time of the first meeting of the Conference of the Parties, the distribution of the Parties across the interim PIC regions might not satisfy article 5, in particular the requirement for at least one notification from each of two PIC regions (UNEP/FAO/PIC/INC.9/18, annex 1, para. 10). A list of the Parties to the Convention may be found in document UNEP/FAO/RC/COP.1/INF1.

7. Following its consideration of this issue at its ninth session, the Intergovernmental Negotiating Committee decided to forward two options on the composition of the PIC regions to the first meeting of the Conference of the Parties (annex III, UNEP/FAO/PIC/INC.9/21).

III. Issues for consideration by the Conference of the Parties

8. The Conference of the Parties is invited to consider the composition of the PIC regions and, as appropriate, adopt a decision on PIC regions, in accordance with article 5, paragraph 5, of the Convention. The formal decision on the composition of PIC regions is to be adopted by consensus.

9. The Conference of the Parties may wish to consider the following options proposed by the Intergovernmental Negotiating Committee at its ninth session:

(a) That the PIC regions to be adopted at the first Conference of the Parties be based on the geographical distribution of the Parties at that time;

(b) That the PIC regions to be adopted at the first Conference of the Parties be based on the regions used during the interim PIC procedure, pending consideration of the geographical distribution of Parties at that time.

10. The Conference of the Parties may also wish to consider the text of possible draft decisions for each of these options set out in annex II to the present note.

¹ *Final Act of the Conference of Plenipotentiaries on the Convention on the Prior Informed Consent Procedure for Certain Hazardous Chemicals and Pesticides in International Trade, Rotterdam, Netherlands, 10-11 September 1998* (UNEP/FAO/PIC/CONF/5), annex I, resolution 1.

Annex I

Excerpt from annex I to the report of the sixth session of the Intergovernmental Negotiating Committee (UNEP/FAO/PIC/INC.6/7)

Decision INC-6/1: Interim PIC regions

The Intergovernmental Negotiating Committee,

Decides to adopt, on an interim basis, the listing of countries contained in the annex to the present decision, to be known as the "interim PIC regions", for the purpose of the implementation of the interim arrangements for the application of the PIC procedure, pending the formal adoption, by consensus, of a listing of countries by PIC regions by the Conference of the Parties at its first meeting.

Annex

Interim PIC regions

Africa

Algeria	Liberia
Angola	Madagascar
Benin	Malawi
Botswana	Mali
Burkina Faso	Mauritania
Burundi	Mauritius
Cameroon	Morocco
Cape Verde	Mozambique
Central African Republic	Namibia
Chad	Niger
Comoros	Nigeria
Congo	Rwanda
Côte d'Ivoire	Sao Tome and Principe
Democratic Republic of the Congo	Senegal
Equatorial Guinea	Seychelles
Eritrea	Sierra Leone
Ethiopia	South Africa
Gabon	Swaziland
Gambia	Togo
Ghana	Tunisia
Guinea	Uganda
Guinea-Bissau	United Republic of Tanzania
Kenya	Zambia
Lesotho	Zimbabwe

Asia

Bangladesh	India
Bhutan	Indonesia
Brunei Darussalam	Japan
Cambodia	Kazakhstan
China	Laos
Democratic People's Republic of Korea	Malaysia
	Maldives

Mongolia
 Myanmar
 Nepal
 Pakistan
 Philippines

Republic of Korea
 Singapore
 Sri Lanka
 Thailand
 Viet Nam

Europe

Albania
 Andorra
 Armenia
 Austria
 Azerbaijan
 Belarus
 Belgium
 Bosnia and Herzegovina
 Bulgaria
 Croatia
 Cyprus
 Czech Republic
 Denmark
 Estonia
 Finland
 France
 Georgia
 Germany
 Greece
 Holy See
 Hungary
 Iceland
 Ireland
 Israel
 Italy
 Latvia

Liechtenstein
 Lithuania
 Luxembourg
 Malta
 Monaco
 Netherlands
 Norway
 Poland
 Portugal
 Republic of Moldova
 Romania
 Russian Federation
 San Marino
 Slovakia
 Slovenia
 Spain
 Sweden
 Switzerland
 The Former Yugoslav Republic of
 Macedonia
 Turkey
 Ukraine
 United Kingdom of Great Britain
 and Northern Ireland
 Yugoslavia

Latin America and the Caribbean

Antigua and Barbuda
 Argentina
 Bahamas
 Barbados
 Belize
 Bolivia
 Brazil
 Chile
 Colombia
 Costa Rica
 Cuba
 Dominica
 Dominican Republic
 Ecuador
 El Salvador
 Grenada
 Guatemala

Guyana
 Haiti
 Honduras
 Jamaica
 Mexico
 Nicaragua
 Panama
 Paraguay
 Peru
 Saint Kitts and Nevis
 Saint Lucia
 Saint Vincent and the Grenadines
 Suriname
 Trinidad and Tobago
 Uruguay
 Venezuela

Near East

Afghanistan
Bahrain
Djibouti
Egypt
Iran (Islamic Republic of)
Iraq
Jordan
Kuwait
Kyrgyzstan
Lebanon
Libyan Arab Jamahiriya

Oman
Qatar
Saudi Arabia
Somalia
Sudan
Syrian Arab Republic
Tajikistan
Turkmenistan
United Arab Emirates
Uzbekistan
Yemen

North America

Canada
United States of America

Southwest Pacific

Australia
Cook Islands
Fiji
Kiribati
Marshall Islands
Micronesia (Federated States of)
Nauru
New Zealand

Niue
Palau
Papua New Guinea
Samoa
Solomon Islands
Tonga
Tuvalu
Vanuatu

Annex II

Draft decision for consideration by the Conference of the Parties on the composition of PIC regions

Option (a)

The Conference of the Parties,

Noting that paragraph 5 of Article 5 of the Rotterdam Convention provides that the composition of the prior informed consent (PIC) regions shall be defined in a decision to be adopted by consensus at the first meeting of the Conference of the Parties,

Having considered decision INC-6/1 in which the Intergovernmental Negotiating Committee adopted interim PIC regions for the purpose of the implementation of the interim arrangements for the application of the PIC procedure, pending the formal adoption, by consensus, of a listing of countries by PIC regions by the Conference of the Parties at its first meeting,

Noting the options for consideration proposed by the Intergovernmental Negotiating Committee at its ninth session regarding the composition of PIC regions,

Considering that the composition of PIC regions should be based on the geographical distribution of Parties at the present time,

Decides to adopt the regions and listing of countries contained in the annex to the present decision, which is based on the geographical distribution of the Parties at the present time, as the PIC regions for the Convention.

Annex

Note: The PIC regions and their composition would need to be developed by the Conference of the Parties at its first meeting

Option (b)

The Conference of the Parties,

Noting that paragraph 5 of Article 5 of the Convention provides that the composition of the prior informed consent (PIC) regions shall be defined in a decision to be adopted by consensus at the first meeting of the Conference of the Parties,

Noting decision INC-6/1 in which the Intergovernmental Negotiating Committee adopted interim PIC regions for the purpose of the implementation of the interim arrangements for the application of the PIC procedure, pending the formal adoption, by consensus, of a listing of countries by PIC regions by the Conference of the Parties at its first meeting,

Noting the options for consideration proposed by the Intergovernmental Negotiating Committee at its ninth session regarding the composition of the PIC regions,

Taking into consideration the geographical distribution of Parties to the Convention at the present time,

Considering that the seven interim PIC regions set forth in INC-6/1 have met the needs of the interim PIC procedure,

Considering that an approach based on the regions used during the interim PIC procedure will both build on the progress achieved under the interim PIC procedure and facilitate the transition to the PIC procedure under the Convention,

Decides to adopt the regions and listing of countries contained in the annex to the present decision, which are based on the interim PIC regions, as the PIC regions for the Convention.

Annex

Note: Countries for which the Rotterdam Convention has entered into force as of 20 September 2004 are indicated with an asterisk in the listings below.

PIC regions

Africa

Algeria	Liberia
Angola	Madagascar
Benin *	Malawi
Botswana	Mali *
Burkina Faso *	Mauritania
Burundi	Mauritius
Cameroon *	Morocco
Cape Verde	Mozambique
Central African Republic	Namibia
Chad *	Nigeria *
Comoros	Niger
Congo	Rwanda *
Côte d'Ivoire *	Sao Tome and Principe
Democratic Republic of the Congo	Senegal *
Equatorial Guinea *	Seychelles
Eritrea	Sierra Leone
Ethiopia*	South Africa *
Gabon *	Swaziland
Gambia *	Togo
Ghana *	Tunisia
Guinea *	Uganda
Guinea-Bissau	United Republic of Tanzania *
Kenya	Zambia
Lesotho	Zimbabwe

Asia

Bangladesh	Maldives
Bhutan	Mongolia *
Brunei Darussalam	Myanmar
Cambodia	Nepal
China	Pakistan
Democratic People's Republic of Korea *	Philippines
India	Republic of Korea *
Indonesia	Singapore
Japan *	Sri Lanka
Kazakhstan	Thailand *
Lao People's Democratic Republic	Timor-Leste
Malaysia *	Viet Nam

Europe

Albania	Azerbaijan
Andorra	Belarus
Armenia *	Belgium *
Austria *	Bosnia and Herzegovina

Bulgaria *	Monaco
Croatia	Netherlands *
Cyprus	Norway *
Czech Republic *	Poland
Denmark *	Portugal
Estonia	Republic of Moldova
Finland *	Romania *
France *	Russian Federation
Georgia	San Marino
Germany *	Serbia and Montenegro
Greece *	Slovakia
Holy See	Slovenia *
Hungary *	Spain *
Iceland	Sweden *
Ireland	Switzerland *
Israel	The former Yugoslav Republic of
Italy *	Macedonia
Latvia *	Turkey
Liechtenstein *	Ukraine *
Lithuania *	United Kingdom of Great Britain and
Luxembourg *	Northern Ireland *
Malta	

Latin America and the Caribbean

Antigua and Barbuda	Guyana
Argentina *	Haiti
Bahamas	Honduras
Barbados	Jamaica *
Belize	Mexico
Bolivia *	Nicaragua
Brazil *	Panama *
Chile	Paraguay *
Colombia	Peru
Costa Rica	Saint Kitts and Nevis
Cuba	Saint Lucia
Dominica	Saint Vincent and the Grenadines
Dominican Republic	Suriname *
Ecuador *	Trinidad and Tobago
El Salvador *	Uruguay *
Grenada	Venezuela
Guatemala	

Near East

Afghanistan	Oman *
Bahrain	Qatar
Djibouti	Saudi Arabia *
Egypt	Somalia
Iran (Islamic Republic of)	Sudan
Iraq	Syrian Arab Republic *
Jordan *	Tajikistan
Kuwait	Turkmenistan
Kyrgyzstan *	United Arab Emirates *
Lebanon	Uzbekistan
Libyan Arab Jamahiriya *	Yemen

North America

Canada *
United States of America

Southwest Pacific

Australia *
Cook Islands
Fiji
Kiribati
Marshall Islands *
Micronesia (Federated States of)
Nauru
New Zealand *

Niue
Palau
Papua New Guinea
Samoa *
Solomon Islands
Tonga
Tuvalu
Vanuatu
