



**United Nations  
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**Food and Agriculture Organization  
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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 9 (d) of the provisional agenda\*

**Matters recommended by the Intergovernmental Negotiating  
Committee for action by the Conference of the Parties at its  
first meeting: cooperation with the World Trade Organization**

## **Cooperation with the World Trade Organization**

### **Note by the secretariat**

1. At its ninth session, the Intergovernmental Negotiating Committee noted “the increasing links on trade issues between the Rotterdam Convention and the work of the World Trade Organization (WTO)” and “requested the secretariat to prepare a paper detailing the ongoing and planned cooperation with WTO on aspects of the Rotterdam Convention related to international trade.”<sup>1</sup>
2. At its tenth session, the Intergovernmental Negotiating Committee had before it the requested note by the Secretariat<sup>2</sup> as well as a proposal submitted by the Government of Canada.
3. Many representatives welcomed the information contained in the document prepared by the secretariat concerning ongoing and planned cooperation by the interim secretariat with WTO on aspects of the Rotterdam Convention related to international trade. Many also supported the proposal submitted by Canada, while others believed that consideration of a formal decision on the matter should be taken only by the Conference of the Parties.

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

1 UNEP/FAO/PIC/INC.9/21, para. 150.

2 UNEP/FAO/PIC/INC.10/INF/4

4. Several representatives supported the need for the Rotterdam Convention to have observer status at meetings of the WTO Committee on Trade and Environment. One representative expressed the view that the Rotterdam Convention contained trade-related provisions and that those provisions were designed to promote the safe use of chemicals and pesticides at the national level.
5. The Intergovernmental Negotiating Committee decided to forward the draft decision that had been tabled by Canada, as amended by the Committee, to the Conference of the Parties for consideration at its first meeting.
6. The draft decision is set out in the annex to the present note.

## Annex

### **Draft decision for consideration by the Conference of the Parties on cooperation between the secretariat of the Rotterdam Convention and the World Trade Organization<sup>3</sup>**

*The Conference of the Parties,*

*Noting* that the United Nations Environment Programme and the World Trade Organization have developed an informal institutional dialogue over several years, a process that started under the General Agreement on Tariffs and Trade and continued until 1994, before the existence of the World Trade Organization,

*Noting also* that informal dialogue has been taking place more recently between multilateral environmental agreements, including between the interim secretariat of the Rotterdam Convention on the Prior Informed Consent Procedure for Certain Hazardous Chemicals and Pesticides in International Trade and the World Trade Organization, to enhance synergies in particular in relation to trade and environment,

*Mindful* of the need to strengthen cooperation between the Rotterdam Convention and the World Trade Organization within their respective mandates,

1. *Welcomes* the enhanced cooperation between the secretariat of the Rotterdam Convention and the World Trade Organization;
2. *Requests* the secretariat:
  - (a) To seek observer status in the Committee on Trade and Environment in Special Session and inform Parties when the request has been submitted and when it has been granted;
  - (b) To report to the Conference of the Parties of the Rotterdam Convention on any meetings of the World Trade Organization that it attends and any substantive contacts that it has with the Secretariat of the World Trade Organization;
  - (c) To monitor developments in the Committee on Trade and Environment in Special Session of the World Trade Organization and report on such developments that are relevant and could have an impact on the Rotterdam Convention and its implementation to its Conference of the Parties;
  - (d) To reflect on ways of enhancing information flows on matters of common interest with the World Trade Organization;
3. *Further requests* the secretariat, when called upon, to provide general and factual information on the provisions of the Rotterdam Convention and advise the Parties of any information provided, and also, if the Rotterdam Convention Secretariat is requested to provide an interpretation of the provisions of the Convention, to refer such requests to the Conference of the Parties;
4. *Encourages* Governments to apprise their representatives on the Committee on Trade and Environment in Special Session of the World Trade Organization of the present decision.

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<sup>3</sup> Earlier published as annex IX to UNEP/FAO/PIC/INC.10/24