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INTERIM CHEMICAL REVIEW COMMITTEE
First session
Geneva, 21-25 February 2000
Item 3 (a) of the provisional agenda

ORGANIZATIONAL MATTERS: ADOPTION OF THE AGENDA

Annotated provisional agenda

Item 1. Opening of the meeting

1. The first session of the Interim Chemical Review Committee, to be held in Salle 18, Palais des Nations, 8-14 Avenue de la Paix, Geneva, Switzerland, will be opened at 10 a.m. on Monday, 21 February 2000.
2. The two Executive Secretaries or, in their absence, their representatives, will preside until the Committee has elected its bureau. Opening and welcoming statements will be delivered by the following:
 - (a) Ms. Maria Celina de Azevedo Rodrigues, Chair of the Intergovernmental Negotiating Committee;
 - (b) Mr. James B. Willis, Executive Secretary; and
 - (c) Mr. Niek van der Graaff, Executive Secretary.

Item 2. Election of the Bureau

3. The Committee will have before it a note by the secretariat (UNEP/FAO/PIC/ICRC.1/INF/1) presenting the rules of procedure of the Intergovernmental Committee. Rule 47, paragraph 3, provides that the rules of procedure of subsidiary organs shall be those of the Intergovernmental Negotiating Committee, as appropriate, subject to such modifications as the Parties may decide upon in the light of proposals by the subsidiary organs concerned.

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4. The Committee may wish to apply the rules of procedure of the Intergovernmental Negotiating Committee to its proceedings. The Committee may wish to follow the example of similar scientific and technical committees, most recently the Criteria Expert Group under the Intergovernmental Negotiating Committee preparing a treaty on persistent organic pollutants, and elect a Bureau composed of two Co-Chairs and a Rapporteur. In electing its officers, the Committee is required to have due regard to the principle of equitable geographical representation.

5. The Committee may also wish to decide that the officers elected shall serve for the same three-year period as the Committee itself, as provided for in the Intergovernmental Negotiating Committee's decision INC-6/2, paragraph 2.

Item 3. Organizational matters

(a) Adoption of the agenda

6. The Committee may wish to adopt its agenda on the basis of the provisional agenda as contained in document UNEP/FAO/PIC/ICRC.1/1.

(b) Organization of work

7. The Committee may wish to decide to meet from 10 a.m. to 1 p.m. and from 3 p.m. to 6 p.m., subject to adjustments as appropriate.

8. If it is judged necessary to establish drafting groups or contact groups on specific matters, the Chair or Co-Chairs may propose the establishment of such groups to the Committee and subsequently appoint members to form the groups. In accordance with the Rules of Procedure, the meetings of such groups, other than drafting groups, will be held in public, unless decided otherwise.

9. The secretariat will provide participants with information regarding logistic and hospitality arrangements for the meeting. An informal reception will be held on Monday, 21 February 2000 at 6.30 p.m.

Item 4. Presentation of the prior informed consent procedure

10. The Committee will have before it a note from the secretariat providing a general presentation of the PIC procedure in the Rotterdam Convention (UNEP/FAO/PIC/ICRC.1/3).

11. The purpose of this note is to present to the Committee the context within which its work will be performed, by providing a description of the interim PIC procedure. The note also describes some aspects of the process for selecting chemicals for inclusion under the original PIC procedure that might be relevant for the Committee's consideration of the draft decision guidance documents referred to it (see agenda item 6).

Item 5. Review of the role and mandate of the Interim Chemical Review Committee

12. The Committee will have before it a note from the secretariat providing a review of the Committee's role and mandate (UNEP/FAO/PIC/ICRC.1/2).. This note provides both a short description of the functions entrusted to the Chemical Review Committee under the Convention, and a more detailed description of the establishment, composition, organization and operation of the Interim Chemical Review

Committee, during the interim period before the Convention enters into force.

Item 6. Consideration of draft decision guidance documents referred to the Interim Chemical Review Committee by the Intergovernmental Negotiating Committee for the following four chemicals: ethylene dichloride, ethylene oxide, maleic hydrazide and bromacil

13. The Committee will have before it a note from the secretariat presenting draft decision guidance documents for ethylene dichloride, ethylene oxide, maleic hydrazide and bromacil (UNEP/FAO/PIC/ICRC.1/4 and Add..1-4).

14. This note and its addenda are available in English only, but in accordance with decision INC-6/2, the four draft decision guidance documents have been made available in all official languages of the Intergovernmental Negotiating Committee.

(a) Ethylene dichloride

15. The Committee will have before it a note from the secretariat presenting the draft decision guidance document for ethylene dichloride (UNEP/FAO/PIC/ICRC.1/4/Add.1).

16. In referring this draft decision guidance document to the Interim Chemical Review Committee, the Intergovernmental Negotiating Committee requested governments, regional economic integration organizations and interested observers to provide clarification to the secretariat on all uses of the chemical ethylene dichloride, and decided that the Interim Chemical Review Committee should review the information provided in order to make a further distinction between the industrial and pesticidal uses of this chemical in the decision guidance document. The information received by the secretariat in pursuance of this request will be before the Committee (UNEP/FAO/PIC/ICRC.1/INF/2).

(b) Ethylene oxide

17. The Committee will have before it a note from the secretariat presenting the draft decision guidance document for ethylene oxide (UNEP/FAO/PIC/ICRC.1/4/Add.2).

18. In referring this draft decision guidance document to the Interim Chemical Review Committee, the Intergovernmental Negotiating Committee requested governments, regional economic integration organizations and interested observers to provide clarification to the secretariat on all uses of the chemical ethylene oxide, and decided that the Interim Chemical Review Committee should review the information provided in order to make a further distinction between the industrial and pesticidal uses of this chemical in the decision guidance document. The information received by the secretariat in pursuance of this request will be before the Committee (UNEP/FAO/PIC/ICRC.1/INF/2).

(c) Maleic hydrazide

19. The Committee will have before it a note from the secretariat presenting the draft decision guidance document for maleic hydrazide (UNEP/FAO/PIC/ICRC.1/4/Add.3).

20. In referring this draft decision document to the Interim Chemical Review Committee, the Intergovernmental Negotiating Committee decided that the Interim Chemical Review Committee should review the chemical maleic hydrazide, addressing, in particular, the impurity hydrazine and the overall policy issues related to adding chemicals to the PIC procedure on the basis of control actions related to contaminants within the substance, rather than to the substance itself, and, should it so decide, review and revise, as appropriate, the draft decision guidance document for that chemical for presentation to the Intergovernmental Negotiating Committee at its next session.

(d) Bromacil

21. The Committee will have before it a note from the Secretariat presenting the draft decision guidance document for bromacil (UNEP/FAO/PIC/ICRC.1/4/Add.4).

22. In referring this draft decision guidance document to the Interim Chemical Review Committee, the Intergovernmental Negotiating Committee decided that the Interim Chemical Review Committee should review the chemical bromacil with regard to the basis for the reported control action and the appropriateness of the inclusion of the chemical in the PIC procedure and, should it so decide, review and revise, as appropriate, the draft decision guidance document for that chemical for presentation to the Intergovernmental Negotiating Committee at its next session.

Item 7. Review of operational procedures for the Interim Chemical Review Committee

23. The Committee will have before it a note from the secretariat providing a review of the operational procedures of the Interim Chemical Review Committee (UNEP/FAO/PIC/ICRC.1/5).

24. This review of procedures is intended to assist the Committee to reflect on how it would undertake its assigned functions in the future.

(a) Making recommendations on the inclusion of banned and severely restricted chemicals

25. In chapter II, the document provides a guide for discussion by the Committee on the mechanisms of making recommendations to the Intergovernmental Negotiating Committee on the inclusion of banned or severely restricted chemicals in the interim PIC procedure.

26. In considering its operational procedures for making such recommendations, the Committee may wish to consider, among other things:

(a) Whether any information other than that provided in the notifications submitted by Parties should be collected in order for the Committee to apply the criteria for listing banned or severely restricted chemicals in Annex III, and if so, how this collection should be organized;

(b) What should be the organization and timing of the review and recommendation process (pre-session, in-session, post-session);

(c) How to record the review and recommendation to be forwarded to the Intergovernmental Negotiating Committee;

(d) Whether any inter-sessional work would be necessary, and if so, how it should be organized;

(e) What additional support would be necessary from the secretariat.

(b) Making recommendations on the inclusion of severely hazardous pesticide formulations

27. In chapter III, the document provides a guide for discussion by the Committee on the mechanisms of making recommendations to the Intergovernmental Negotiating Committee on the inclusion of severely hazardous pesticide formulations in the interim PIC procedure.

28. In considering its operational procedures for making such recommendations, the Committee may wish to consider, among other things:

(a) How the collection of additional information by the secretariat could be organized and which organizations should be contacted;

(b) Whether any information other than that provided in the proposal submitted by the Party and the additional information collected by the secretariat is necessary in order for the Committee to apply the criteria for listing severely hazardous pesticide formulations in annex III, and if so, how this collection should be organized;

(c) What should be the organization and timing of the review and recommendation process (pre-session, in-session, post-session);

(d) How to record the review and recommendation to be forwarded to the Intergovernmental Negotiating Committee;

(e) Whether any inter-sessional work would be necessary, and if so, how it should be organized;

(f) What additional support would be necessary from the secretariat.

(c) Preparing draft decision guidance documents

29. In chapters IV and V, the document provides a guide for discussion on the operational procedure for preparing draft decision guidance documents and on mechanism for collecting and disseminating comments received on decision guidance documents.

30. In considering its operational procedures for preparing draft decision guidance documents, the Committee may wish to consider, among other things:

(a) What is the appropriate format of the decision guidance document, allowing Parties to make effective use of the document in their national decision-making process;

(b) Whether the format of decision guidance documents should differ as between banned and severely restricted chemicals and severely hazardous pesticide formulations;

(c) What should be the mechanism for collecting and disseminating comments received on decision guidance documents for banned or severely restricted chemicals as they are developed, so that Parties taking a decision based on those documents are fully aware of the reasons behind the regulatory actions;

(d) How to incorporate information on uses of a banned or severely restricted chemical in a category other than the category for which the final regulatory action applies;

(e) What should be the mechanism for collecting and disseminating comments received on decision guidance documents for hazardous pesticide formulations;

(f) How to deal with other formulations than those severely hazardous pesticide formulations included in the proposal from the Party;

(g) What should be the organization and timing of the drafting process for the decision guidance documents (pre-session, in-session, post-session);

(h) What additional support would be necessary from the secretariat.

(d) Considering a mechanism for collecting and disseminating comments received on decision guidance documents as they are developed, so that countries taking a decision based on those documents are fully aware of the reasons behind the control action

31. The Committee may wish to consider this issue as part of the process for preparing draft decision guidance documents under (c) above.

Item 8. Other matters

32. At its sixth session, the Intergovernmental Negotiating Committee noted that the Interim Chemical Review Committee might wish to have two meetings between the sixth and seventh sessions of the Intergovernmental Negotiating Committee, for the purposes, first, of organizing its work and commencing its examination of the four decision guidance documents referred to it and, second, undertaking its assigned functions.

33. At the time of preparation of the present paper there are no notifications of final regulatory action or proposals for inclusion of severely hazardous pesticide formulations to be forwarded to the Committee.

34. The Committee may wish to consider the need for and, as appropriate, propose tentative dates for a second meeting before the seventh session of the Intergovernmental Negotiating Committee, which is tentatively planned for late September 2000.

Item 9. Adoption of the report

35. At the final meeting of this session, the Committee will be invited to consider and adopt the draft report on the work of its first session as prepared by the Rapporteur.

36. The final report on the work of this session, as adopted by the Committee, will subsequently be circulated as document UNEP/FAO/PIC/ICRC.1/6.

Item 10. Closure of the meeting

37. It is expected that the session will be closed by the Chair or Co-Chairs no later than 6 p.m. on 25 February 2000.
