



United Nations
Environment Programme



Food and Agriculture Organization
of the United Nations

Distr.
GENERAL

UNEP/FAO/PIC/INC.7/2
28 July 2000

ORIGINAL: ENGLISH

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

Seventh session

Geneva, 30 October – 3 November 2000

Item 3 of the provisional agenda*

ACTIVITIES OF THE SECRETARIAT AND REVIEW OF THE SITUATION
AS REGARDS EXTRABUDGETARY FUNDS

Note by the secretariat

I. INTRODUCTION

1. Except as otherwise noted or apparent from the context, this report covers the period from 1 June 1999 to 31 May 2000.
2. Consistent with the Rotterdam Convention on the Prior Informed Consent Procedure for Certain Hazardous Chemicals and Pesticides in International Trade and the resolution on interim arrangements passed by the Conference of Plenipotentiaries that adopted the Convention, the secretariat established jointly by the United Nations Environment Programme (UNEP) and the Food and Agriculture Organization of the United Nations (FAO) will continue to serve as the secretariat of the Convention during the interim period. UNEP and FAO will also provide the secretariat after the Convention has entered into force.
3. During the interim period, the secretariat will continue its work in support 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. In addition, the secretariat will service the operation of the interim PIC procedure, as described in the resolution on interim arrangements, and service the Interim Chemicals Review Committee.

* UNEP/FAO/PIC/INC.7/1.

K0019085 100800

II. IMPLEMENTATION OF THE INTERIM PIC PROCEDURE

4. The secretariat's work in support of the interim PIC procedure can be summarised under the following main headings:

A. Compilation and circulation of information on nomination of designated national authorities

5. In line with Article 4, paragraph 4 of the Convention, the secretariat shall inform the Parties¹ of new nominations or changes in nominations of designated national authorities (DNAs).

6. During the reporting period, the secretariat received 8 nominations of new designated national authorities from States not yet participating in the interim PIC procedure and 33 changes of existing designated national authorities. As of 31 May 2000, a total of 163 States and regional economic integration organizations had nominated a total of 236 DNAs.

7. An updated list of designated national authorities was circulated to all designated national authorities twice during the reporting period together with the PIC Circular (see section E below). In addition, the information on nominations of DNAs is updated on a running basis and made available on the Convention website.

B. Circulation of decision guidance documents for chemicals subject to the interim PIC procedure

8. The resolution on interim arrangements provides, in paragraph 7, that all chemicals that have been identified for inclusion under the original PIC procedure, but for which decision guidance documents have not yet been circulated before the date on which the Convention is opened for signature, will become subject to the interim PIC procedure as soon as the relevant decision guidance documents have been adopted by the Intergovernmental Negotiating Committee.

9. At its sixth session, the Committee adopted decision guidance documents for the chemicals binapacryl and toxaphene, with the effect that those chemicals became subject to the interim PIC procedure as it is defined in paragraph 2 of the resolution on interim arrangements.

10. The secretariat circulated, in line with Article 7 of the Convention, the decision guidance documents for those two chemicals to all designated national authorities on 1 September 1999.

C. Verification and circulation of notifications of final regulatory action to ban or severely restrict a chemical and proposals for inclusion of acutely hazardous pesticide formulations

11. In line with Article 5, paragraph 3 of the Convention, the secretariat is to circulate summaries of notifications of final regulatory action received which the secretariat has verified contain the information required by Annex I of the Convention. In line with Article 5, paragraph 4 of the Convention, the secretariat is to circulate a synopsis of the notifications of final regulatory action received, including information regarding those notifications that do not contain all the information required by Annex I of the Convention.

12. During the reporting period, the secretariat received a total of 68 notifications of final regulatory action from 7 Parties covering 56 chemicals and pesticides. These notifications were verified and a synopsis was circulated to Parties through Appendix 1 of PIC Circular X and PIC Circular XI.

¹ During the interim period until the Convention enters into force, a "Party" is understood to mean any State or regional economic integration organization having nominated a designated national authority or authorities for the purpose of participating in the interim PIC procedure.

13. In addition, a synopsis of all notifications of control action received before 11 September 1998 under the original PIC procedure, including information regarding those notifications that did not contain all the information required by Annex I of the Convention, was provided as Appendix V of PIC Circular X. This synopsis contained a total of 1,484 notifications from 45 States and regional economic integration organizations, covering 56 chemicals and pesticides.

14. In line with Article 6, paragraph 2 of the Convention, the Secretariat is to circulate summaries of those proposals for inclusion of severely hazardous pesticide formulations in the interim PIC procedure which the secretariat has verified contain the information required by part 1 of Annex IV of the Convention.

15. During the reporting period, the secretariat did not receive any proposals for inclusion of a severely hazardous pesticide formulation. No summaries of such proposals could thus be circulated to Parties.

D. Verification and circulation of responses concerning future import of a chemical

16. In line with Article 10, paragraph 2, of the Convention, each Party is required to transmit to the secretariat, as soon as possible, and in any event no later than nine months after the date of dispatch of a decision guidance document, a response regarding future import of the chemical concerned. In line with Article 10, paragraph 4 of the Convention, the response shall consist of either a final decision or an interim response. The interim response may include an interim decision regarding import.

17. In line with article 10, paragraph 3 of the Convention, the secretariat shall, at the expiration of the time period given in article 10, paragraph 2, forthwith address to a Party that has not provided such a response, a written request to do so, through its DNA. The listing in the PIC Circular of such cases of failure to transmit a response represents the written request from the secretariat to each Party to provide a response.

18. Every six months the secretariat shall, in line with article 10, paragraph 10, inform Parties of the responses it has received. Such information shall include a description of the legislative or administrative measures on which the decisions have been based, where available. The secretariat shall, in addition, inform the Parties of any cases of failure to transmit a response.

19. During the reporting period, the secretariat received 163 responses regarding future import from 21 Parties covering all 29 chemicals and pesticides currently included in the interim PIC procedure. Those responses, together with information on all cases of failure to provide a response, were circulated to Parties in Appendix 4 of PIC Circular X and PIC Circular XI.

E. Distribution of the PIC Circular

20. Every six months, in June and December, the Secretariat publishes the PIC Circular. The purpose of this circular is to provide all Parties, through their designated national authorities, with the information required to be circulated by the secretariat under the interim PIC procedure, in line with Articles 4, 5, 6, 7, 10 and 14 of the Convention.

21. During the reporting period, the secretariat published PIC Circular X (December 1999) and PIC Circular XI (June 2000).

F. Response to queries and requests for information

22. During the reporting period, the secretariat received and responded to a total of 58 queries and requests for information related to the implementation of the interim PIC procedure and the entry into force of the Convention.

III. SUPPORT FOR THE INTERGOVERNMENTAL NEGOTIATING COMMITTEE

23. The sixth session of the Intergovernmental Negotiating Committee was held at FAO headquarters, in Rome, Italy, from 12 to 16 July 1999. It was attended by 107 Parties. The report on that session is UNEP/FAO/PIC/INC.6/7.

24. The Committee requested the secretariat to prepare the following documentation for consideration at its seventh session: draft rules of procedure for the Conference of the Parties; outline of possible options for financial rules and a draft budget for the first biennium; analysis of the issues associated with the discontinuation of the interim PIC procedure; arbitration and conciliation annexes; procedures and institutional mechanisms for determining non-compliance; and a list of elements of information that could be requested from countries interested in hosting the permanent secretariat. The Committee also requested the secretariat to establish contacts with the World Customs Organisation and to report on the progress made in assigning specific customs code numbers by the secretariats of the Montreal Protocol on Substances that Deplete the Ozone Layer and the Basel Convention on the Control of Transboundary Movements of Hazardous Wastes and Their Disposal, and to ensure that the list of manufacturers in the decision guidance documents for the chemicals binapacryl and toxaphene was correct.

IV. SUPPORT FOR THE INTERIM CHEMICAL REVIEW COMMITTEE

25. The first session of the Interim Chemical Review Committee was held at the Palais des Nations in Geneva, Switzerland, from 21 to 25 February 2000. It was attended by 26 of the experts nominated, and a number of observers from Governments, intergovernmental organizations and non-governmental organizations. The report on this session is in UNEP/FAO/PIC/ICRC.1/6.

26. The Interim Chemical Review Committee established a number of task groups, which will work inter-sessionally on various issues related to that Committee's operational procedures. The secretariat will service those task groups and has been assigned to lead two of them.

V. FACILITATION OF IMPLEMENTATION AND RATIFICATION

27. From 13-16 June 2000, the secretariat convened a regional workshop for English-speaking countries in Africa in Nairobi, Kenya, hosted by UNEP. The main objectives of the workshop were to provide information to the designated national authorities, thus facilitating their role in implementing the Convention and helping countries to implement the Convention in an effective way, and to promote the signature and ratification of the Convention. The workshop also served to assist the overall programme through feedback to the secretariat and to the Intergovernmental Negotiating Committee. The workshop was attended by 26 designated national authorities from 19 States in the region. The Committee may wish to provide guidance to the secretariat regarding future workshops.

28. A subregional workshop to raise awareness on the Rotterdam Convention, persistent organic pollutants (POPs) and the Basel Convention was scheduled to take place in Fiji from 22 - 26 May 2000 for South Pacific small island States. Sponsored by Australia and New Zealand, the workshop was cancelled due to security reasons.

29. Regional workshops for Latin America and Francophone Africa (with financial support from Belgium) are planned for the second half of 2000 or early in 2001.

30. The secretariat has printed and distributed a booklet with the text of the Convention in all official United Nations languages. More than 5000 copies in English have been distributed, together with a corresponding number in other languages, and the booklet is now being reprinted. The secretariat is also planning to prepare a booklet with an introduction to the Convention.

31. The establishment of the new integrated website on <www.pic.int> is well underway, and the site is expected to be operational at the time of this meeting. Also, the work on the office automation project to facilitate the handling of data needed to implement the Convention is underway. An analysis of the data and information flow has been made, and detailed specifications are now being prepared. A test version is expected to be operational in late 2000.

VI. TRUST FUND, SECRETARIAT STAFFING AND CORE BUDGET

32. Contributions, as of 30 June 2000, to the Trust Fund established by the Executive Director of UNEP are shown in annex I.

33. As of 30 June 2000, expenditures from the Trust Fund for the biennium 1999-2000 amounted to \$ 913,824. Those expenditures are summarized in annex II.

34. The staffing of the secretariat, as of 31 May 2000, is shown in annex III. It does not include consultants and temporary conference service staff (interpreters, editors and translators), nor does it include staff in UNEP and FAO that provide legal, administrative and data processing support. It shows that both UNEP and FAO continue to cover a large proportion of the staff costs.

35. FAO and UNEP also provide core support to the operations of the secretariat. As requested by the FAO Conference at its thirty-first session, in 1999, the FAO secretariat made an additional \$ 200,000 from its Regular Programme available for the year 2000, bringing the overall direct FAO staff and non-staff contribution for 2000 in the range of \$ 340,000. This contribution may continue in future. UNEP plans to match the FAO contribution for 2000.

36. A draft budget for the core operation of the Convention in 2001 and 2002 is included as annex IV.

Annex IContributions to the Trust Fund as of 30 June 2000

Donor	1999	2000	TOTAL
European Commission	51,850		51,850
Finland	8,493		8,493
Netherlands	644,981		644,981
Norway	18,987		18,987
Switzerland	95,081		95,081
United Kingdom		164,750	164,750
United States of America		175,000	175,000
TOTAL	819,392	339,750	1,159,142

Annex IITrust Fund expenditures for 1999 – 2000 as of 30 June 2000
(US Dollars)

Code	Object of expenditure	Expenditure (US\$)
11	Project personnel	186,999
12	Consultants	54,982
13	Administrative support (incl. conference servicing)	199,834
16	Official travel	17,640
30	Meetings and conferences	363,706
40	Equipment and premises	151
50	Miscellaneous	11,113
60	Support costs	79,399
	TOTAL	913,824

Annex IIIInterim secretariat staffing situation as of 31 May 2000

Category	Geneva		Rome			Total
	Funding	UNEP	Trust Fund	FAO	Trust Fund	
D-1		0.25		0.25		0.50
P-5			1	0.20		1.20
P-4		1				1
P-3				1		1
P-2					1 (France)	1
General Service		0.75		1		1.75
TOTAL		2	1	2.45	1	6.45

Note: Decimals refer to staff working only part time in the secretariat.

Annex IVDraft budget for 2001-2002

DRAFT BUDGET FOR 2001 AND 2002		
	Year 2001	Year 2002
One session of the INC in Rome or Geneva	625,000	625,000
One session of the ICRC in Rome or Geneva	145,000	145,000
Facilitation of implementation and ratification	165,000	55,000
Office automation and databases	203,000	26,500
Core secretariat costs	960,225	1,191,275
Total	2,098,225	2,042,775
UN Administrative costs (13%)	272,769	265,561
TOTAL	2,370,994	2,308,336
