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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

Tenth session

Geneva, 17-21 November 2003

Item 4(e) (iv) of the provisional agenda\*

**Implementation of the interim prior informed consent procedure**

**OTHER ISSUES ARISING OUT OF THE FOURTH SESSION OF  
THE INTERIM CHEMICAL REVIEW COMMITTEE**

Note by the secretariat

1. The present note provides relevant background information and a summary of the Interim Chemical Review Committee's deliberations (UNEP/FAO/PIC/ICRC.4/18) on selected issues that are not specifically covered elsewhere in the agenda of the tenth session of the Intergovernmental Negotiating Committee. Specific issues that the Intergovernmental Negotiating Committee requested the Interim Chemical Review Committee to consider at its fourth session, as well as issues that arose during its discussions are the subject of separate papers that will be considered under agenda items 4 and 6.

ISSUES THE INTERGOVERNMENTAL NEGOTIATING COMMITTEE SHOULD CONSIDER  
BRINGING TO THE ATTENTION OF STATES

A. Severely hazardous pesticide formulations - Environmental incident report form

2. At its seventh session, the Intergovernmental Negotiating Committee considered the work of the Interim Chemical Review Committee on the development of an incident report form for severely hazardous pesticide formulations. In decision INC-7/3, the Intergovernmental Negotiating Committee encouraged the Interim Chemical Review Committee to continue its development of the incident report form in conjunction with a simple guidance document on the completion of the form and the development of proposals in line

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\* UNEP/FAO/PIC/INC.10/1.

with article 6 and annex IV, part 1, of the Convention. It also recommended that States, regional economic integration organizations, bilateral and multilateral aid agencies, intergovernmental organizations and non-governmental organizations make use of the incident report form and guidance document on reporting pesticide poisoning incidents in their projects, once it is available and has been circulated by the secretariat.

3. The Interim Chemical Review Committee at its second session established an intersessional task group to draft an environmental incident report form. It was noted that the form could be developed based on the existing model for health related incidents. At its third session, the Committee reviewed the initial draft of the form and established another intersessional task group to hold further consultations, produce an updated draft, circulate it for further comment, and release a draft revised in the light of those comments for pilot testing.

4. At its fourth session, the Interim Chemical Review Committee considered the report of the intersessional task group and the results of the pilot testing (UNEP/FAO/PIC/ICRC.4/4) and agreed that an opportunity should be provided for a final review by an intersessional task group, aimed at clarifying the wording used in the form, before general release in June 2003. It was recognized that the form would continue to evolve as experience was gained in its implementation.

5. The finalized environmental incident report form was sent to all designated national authorities and a range of bilateral and multilateral aid agencies, and was posted on the web site of the Rotterdam Convention ([www.pic.int](http://www.pic.int)) in July 2003.

6. In view of decision INC-7/3, the Intergovernmental Negotiating Committee is invited to note the adoption of the revised environmental incident report form by the Interim Chemical Review Committee at its fourth session.

B. Working paper on preparing internal proposals and decision guidance documents for banned or severely restricted chemicals

7. At its second and third sessions, the Interim Chemical Review Committee developed a working paper on preparing internal proposals and decision guidance documents on banned or severely restricted chemicals. The purpose of the working paper was to provide guidance to drafting groups in the preparation of decision guidance documents. It was designed to clarify the purpose of each section of the decision guidance document, to characterize the information to be included and to ensure their consistency.

8. At its fourth session the Interim Chemical Review Committee revised the working paper based on experience gained by the drafting groups in preparing the decision guidance documents on DNOC and asbestos. The revised working paper was circulated to the intersessional drafting groups established for parathion and tetra ethyl and tetra methyl lead. The Committee emphasized that the working paper was a work in progress and could be further modified based on additional experience gained by current and future drafting groups. Copies of the working paper are available in English from the secretariat and are posted on the Rotterdam Convention web site.

9. The Intergovernmental Negotiating Committee is invited to note the revision of the working paper on preparing internal proposals and decision guidance documents for banned or severely restricted chemicals by the Interim Chemical Review Committee at its fourth session.

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