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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 6 (a) of the provisional agenda*

**Issues arising out of the Conference of Plenipotentiaries:
support for implementation**

INFORMATION EXCHANGE: ESTABLISHMENT OF AN ELECTRONIC CLEARING HOUSE

Note by the secretariat

Introduction

1. The purpose of the present note is to inform the Intergovernmental Negotiating Committee about action taken by the secretariat to promote information exchange on chemicals subject to the interim prior informed consent (PIC) procedure.

A. Background

2. The main source of information on chemicals subject to the interim PIC procedure is the decision guidance document. The decision guidance document is developed on the basis of information submitted by two or more notifying countries in support of their final regulatory actions to ban or severely restrict a chemical. It is supplemented by information from relevant international reviews, such as those of the World Health Organization (WHO), the International Programme on Chemical Safety (IPCS) and the International Agency for Research on Cancer (IARC).

3. At its third session, the Interim Chemical Review Committee noted that information on other evaluations and alternatives to products was continuously evolving and that it was not feasible continually to update the decision guidance document. It proposed that such information be posted on the Convention web

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site and disseminated with the PIC Circular (see the report of the third session in document UNEP/FAO/PIC/ICRC.3/19, para. 44).

4. At its fourth session, the Interim Chemical Review Committee discussed the preparation of decision guidance documents, and reiterated that the decision guidance document served the purpose of providing information on decisions to control a chemical taken by countries submitting notifications of final regulatory actions and that it was supplemented, where available, by internationally agreed information on the same chemical (see the report of the fourth session in document UNEP/FAO/PIC/ICRC.4/18, para. 38).

5. The Interim Chemical Review Committee also agreed that the decision guidance document was not the sole source of information and indicated that national evaluations and information on risk mitigation provided by Parties other than the original notifying Parties could be made available on the Rotterdam Convention web site. The Committee recognized that the decision guidance document reflected the information provided by the Parties originally notifying the chemical and the international information available at the time of preparation of the decision guidance document and that the decision guidance document was not updated or revised following its adoption by the Intergovernmental Negotiating Committee.

6. The Interim Chemical Review Committee recognized that there might be additional risk evaluations made by Parties that had taken regulatory actions to ban or severely restrict the chemical as well as others that had not banned or severely restricted it. Information on these risk evaluations is valuable in that it assists Parties in taking decisions on the chemical and the Committee indicated that such risk evaluations or information on alternative risk mitigation measures submitted by Parties should be made available on the Rotterdam Convention web site if they were provided by the Party.

7. In response to the discussions of the Interim Chemical Review Committee, the secretariat has placed on the Rotterdam Convention web site a facility for making available information on national evaluations and information on alternatives for chemicals subject to the interim PIC procedure. This clearing-house facility will be limited to information supplied by parties and the information will be posted without review. Submission of this information in electronic format would assist the secretariat. A disclaimer will be attached to this section of the web site, indicating that all information available is as provided by the Parties and that the secretariat is therefore not able to assume responsibility for its accuracy. In view of the limited access to the internet in some countries, lists of the information posted within the last six months will be included with each PIC Circular.

8. It should also be noted that this clearing house is in line with article 14 of the Rotterdam Convention, which indicates that Parties shall facilitate the exchange of information (scientific, technical, economic and legal) concerning chemicals within the scope of that Convention. Article 14 also states that Parties shall facilitate the provision of publicly available information on domestic regulatory actions relevant to the objectives of the Convention. Information is to be provided to other Parties either directly or through the secretariat.

9. The clearing house has been developed on the basis of the secretariat's experience. This additional activity should be manageable within the limits of the current budget; should, however, the volume of information provided by parties significantly exceed expectations, this may need to be revisited in future.

B. Possible action by the Intergovernmental Negotiating Committee

10. The Committee is invited to note the establishment of the clearing house on chemicals subject to the interim PIC procedure through the Rotterdam Convention web site. The secretariat would welcome feedback on the usefulness of the information to Parties and any issues arising from the operation of the clearing house.
