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CONFERENCE OF PLENIPOTENTIARIES ON THE  
CONVENTION ON THE PRIOR INFORMED CONSENT  
PROCEDURE FOR CERTAIN HAZARDOUS  
CHEMICALS AND PESTICIDES IN  
INTERNATIONAL TRADE

Rotterdam, 10-11 September 1998  
Item 5 of the provisional agenda\*

ADOPTION OF RESOLUTIONS

Draft resolution on interim arrangements

Note by the secretariat

1. The Secretariat has the honour to transmit to the Conference, in the annex to the present note, the draft resolution on interim arrangements submitted to it by 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 (INC/PIC). The draft resolution was prepared by the INC/PIC at its fifth session, held in Brussels from 9 to 14 March 1998.
2. It should be noted that a technical revision has been made to paragraph 11 of the draft resolution in order to harmonize it with the relevant provisions of the text of the Convention on the Prior Informed Consent Procedure for Certain Hazardous Chemicals and Pesticides in International Trade as agreed by the INC/PIC at its fifth session.

\* UNEP/FAO/PIC/CONF/1.

Annex

DRAFT RESOLUTION ON INTERIM ARRANGEMENTS

The Conference,

Having adopted the text of the Convention on the Prior Informed Consent Procedure for Certain Hazardous Chemicals and Pesticides in International Trade (hereinafter referred to as the "Convention"),

Considering that interim arrangements are required to continue to operate a voluntary procedure for the application of the Prior Informed Consent (PIC) procedure in order to protect human health and the environment from certain hazardous chemicals and pesticides pending the entry into force of the Convention and to prepare for its effective operation once it enters into force,

Taking note of the existing voluntary PIC procedure established by Resolution 6/89 of the Twenty-fifth Session of the Conference of the Food and Agriculture Organization of the United Nations (FAO) and decision 15/30 of the fifteenth session of the Governing Council of the United Nations Environment Programme (UNEP),

Recalling the decisions of the Twenty-ninth Session of the FAO Conference and the fifth special session of the UNEP Governing Council, agreeing to accept changes in the voluntary PIC procedure if so decided by the Conference of Plenipotentiaries on the Convention, provided that costs additional to the implementation of the present voluntary procedure be met through extra-budgetary resources,

I

1. Calls upon States and regional economic integration organizations entitled to do so to consider signing, ratifying, accepting, approving or acceding to the Convention with a view to bringing it into force as soon as possible;

II

2. Decides that the voluntary PIC procedure contained in the Amended London Guidelines for the Exchange of Information on Chemicals in International Trade and in the FAO International Code of Conduct on the Distribution and Use of Pesticides (hereinafter referred to as the "original PIC procedure") is hereby changed to bring it into line with the procedure established by the Convention with effect from the date on which the Convention is opened for signature. The original PIC procedure with these changes is hereinafter referred to as the "interim PIC procedure";

3. Invites the Executive Director of UNEP and the Director-General of FAO to convene such further sessions of the Intergovernmental Negotiating Committee (hereinafter referred to as the "Committee") during the period between the date on which the Convention is opened for signature and the date of the opening of the first meeting of the Conference of the Parties as are necessary to oversee the operation of the interim PIC procedure and to

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prepare for and service the Conference of the Parties until the end of the fiscal year in which the first meeting of the Conference of the Parties takes place;

4. Invites the Committee to establish an interim subsidiary body to discharge the functions entrusted to the subsidiary body to be established under Article 18, paragraph 6, of the Convention;

5. Invites the Intergovernmental Negotiating Committee to develop, based on the FAO regions, the decision referred to in paragraph 5 of Article 5, and to adopt this decision on an interim basis, pending its formal adoption at the first meeting of the Conference of the Parties;

6. Decides that all chemicals in respect of which Decision Guidance Documents have been circulated under the original PIC procedure before the date on which the Convention is opened for signature will be subject to the interim PIC procedure;

7. Decides that all chemicals that have been identified for inclusion in the PIC procedure 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 Committee;

8. Decides that the Committee shall decide, between the date on which the Convention is opened for signature and the date of its entry into force, on the inclusion of any additional chemicals under the interim PIC procedure in accordance with the provisions of Articles 5, 6, 7 and 22 of the Convention;

9. Decides that nominations of designated national authorities, notifications of control actions and import responses made under the original PIC procedure shall remain in effect under the interim PIC procedure unless and until the State or regional economic integration organization concerned notifies the Interim Secretariat in writing that it has decided otherwise;

10. Appeals to States and regional economic integration organizations to participate in and apply in full the interim PIC procedure;

11. Calls on States and regional economic integration organizations to submit notifications of final regulatory action in accordance with the provisions of Article 5 of the Convention, and calls on developing countries and countries with economies in transition that are in a position to do so to submit proposals concerning severely hazardous pesticide formulations in accordance with the provisions of Article 6 of the Convention;

12. Requests the Executive Director of UNEP and the Director-General of FAO to provide secretariat services for the operation of the interim PIC procedure;

13. Decides that the interim PIC procedure shall cease to operate on a date to be specified by the Conference of the Parties at its first meeting;

III

14. Appeals to States and regional economic integration organizations to make voluntary contributions to the trust fund established by UNEP in order to support the interim arrangements and the operation of the Conference of the Parties until the end of the fiscal year in which the first meeting of the Conference of the Parties takes place, and to ensure the full and effective participation of developing countries and countries with economies in transition in the further work of the Committee;

15. Calls on States and regional economic integration organizations with more advanced programmes for regulating chemicals to provide technical assistance, including training, to other States and regional economic integration organizations in developing their infrastructure and capacity to manage chemicals throughout their life-cycle, particularly in view of the urgent need of their participation in effective operation of the Convention once it enters into force.

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