



Prior Informed Consent

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This briefing provides an overview of the pesticide-related aspects of the Rotterdam Convention, which alerts developing countries to bans or severe restrictions on pesticides and chemicals that are traded internationally, and helps them stop certain unwanted imports.

Making PIC a priority

In September 1998, the Rotterdam Convention on the Prior Informed Consent (PIC) Procedure for Certain Hazardous Chemicals and Pesticides in International Trade was opened for signature. It will enter into force once 50 countries have ratified it. Over 60 governments have already signed their intent to ratify, which may take over two years. But implementation will begin immediately, as governments agreed to continue the voluntary PIC procedure using the new provisions.



PIC helps to control international trade in the most hazardous pesticides

New principles for pesticide trade

PIC aims to provide developing countries with information about bans or severe restrictions imposed by governments on a pesticide or chemical because of health or environmental concerns. After a pesticide or chemical is included in the PIC list, governments will also have the right to prohibit its import. The Joint Secretariat will convey decisions on a six-monthly basis, and governments must ensure that their exporters comply with importing countries' decisions.

Solving problems with PIC

Many of the pesticides which have been banned or severely restricted in industrialised countries are still marketed and used in developing countries: the Convention will alert governments to these. But many pesticides used in developing countries are not banned or severely restricted elsewhere and still pose health hazards because of the conditions in developing countries. The farmers, agricultural workers and others using pesticides in developing countries are generally untrained and poorly educated, labels are complex and protective clothing is too expensive or too uncomfortable in tropical conditions. Rural communities have poor access to medical care, good washing facilities or safe storage areas.

Pesticides sold in developing countries may be labelled in unfamiliar languages, they may be old stocks and less effective. The technical active ingredient cannot always be checked to ensure it is of the required standard and specification, and pesticides sold to farmers are often repackaged or adulterated. PIC will not solve all these problems but is an important step towards higher standards.

“Pesticides should not threaten the welfare, health or lives of farmers ... These chemicals pose a serious risk not only to the health of farmers, but also to the health of the population in general and to the environment”

Jacques Diouf, Director General of the FAO 10 September 1998

The history of PIC

The principle of Prior Informed Consent (PIC) was first raised in the early 1980s when the Food and Agriculture Organisation of the United Nations (FAO) promoted the *International Code of Conduct on the Distribution and Use of Pesticides*. PIC was not included in the 1985 Code, but it was in the amended Code of 1989. In parallel discussions the UN Environment Programme adopted the same wording for PIC in the 1989 *London Guidelines on Exchange of Information on Chemicals in International Trade*. Since then, PIC was

operated on a voluntary basis through a joint FAO (for pesticides) and UNEP (for chemicals) Secretariat. The 1992 Rio Earth Summit (Agenda 21, Chapter 19) called for a legally binding instrument to be in place by 2000. The experience of the voluntary procedure enabled negotiations to be completed two years early.

Why PIC is needed

Each year thousands of people die or are seriously poisoned by toxic pesticides. Most poisonings and deaths are in developing countries, which lack essential safety measures, such as protective clothing, reliable spray equipment and trained operators. Severe environmental problems are also caused by pesticides in developing countries: water sources, animal and plant life is poisoned; fish, pollinators and other beneficial animals and plants are killed or destroyed. Environmental impacts can have economic and food security consequences for poor rural communities.

The World Health Organisation estimates there are 20,000 unintentional deaths a year, mainly in developing countries, and 3 million acute poisonings. A lack of official figures does not mean that problems do not exist, rather that the means to document problems do not exist.

Older pesticides are often preferred by poor farmers because they are cheaper. But these are often the most dangerous to both health and the environment. Organophosphates, for example, which can affect the nervous system and cause depression, are widely used. PIC will help address some of these problems by trying to identify severely hazardous pesticide formulations, which cause acute poisoning. It will not address concerns of longer term impacts from regular exposure.

Past practices have also led to over-supply of hazardous chemicals and many developing countries are left with vast stocks of obsolete and out-of-date pesticides.

What is included in PIC

The Convention agreed to include the pesticides in the voluntary procedure (see box), and identified two routes to include a pesticide.

Banned or severely restricted pesticides

The first route is covered in Article 5 of the Convention: a pesticide could qualify for PIC when the Joint Secretariat has received at least one notification of a ban or severe restriction from two different geographical regions. Documentation must demonstrate that the action has been taken to protect human health or the environment, and must have followed an evaluation of the risk.

Severely hazardous pesticide formulations

In certain countries conditions of use will exacerbate health or environmental problems of pesticides and Article 6 provides that 'severely hazardous pesticide formulations' may be included. These formulations are defined as a pesticide *that produces severe health or environmental effects observable within a short period of time after single or multiple exposure, under conditions of use*. Their inclusion can only be proposed by a developing country, or a country with an economy in transition, which must produce documentation indicating health or environmental problems, including:

- ❖ relative amount of each active ingredient in the formulation;
- ❖ a clear description of incidents related to the problem, including the adverse effects and how the formulation was used.

An expanded information exchange

The Rotterdam Convention also requires export notification of chemicals which have been banned or severely restricted for domestic use by a Party and exported from its territory. This must be provided before the first export in any calendar year. Importing countries need to be aware that they will not receive notification from countries which have not banned or severely restricted a pesticide. The obligation to notify ceases if the chemical becomes part of the PIC procedure, as it will be over-ridden by a government's decision to consent to or prohibit import.

The Convention calls for labelling to be to the same standard as required in the exporting country. It suggests that countries can ask for additional documentation such as names of exporters and safety data sheets.

Problems for PIC

The Rotterdam Convention is the start of a process. Dutch Environment Minister Jan Pronk said: "A great deal more work is needed before we can achieve the sustainable management of hazardous chemicals and pesticides." The challenge for PIC is to ensure that it will cover severely hazardous pesticide formulations and address pesticide problems in developing countries..

More than 600,000 farming households in Akwa Ibom State may have been exposed to various problems due to poor handling and use of pesticides ... a significant number of children are being exposed to hazards from pesticides stored in farm homes.

Dr AJ Udoh, Pesticide impacts on Nigerian farm households, 1998.

Surveys aimed at revealing factors possibly contributing to pesticide poisoning showed that lack of knowledge, total absence or improper use of protective devices and poor personal hygiene were prominent among the exposed population.

African Newsletter on Occupational health and Safety, 1997.



Labels should be clear and in a local language

Despite the dangers of dimethoate (an organophosphate pesticide), farmers did not use any protective clothing save a piece of cloth to cover the mouth or nose. All application techniques involved direct contact with pesticides through handling, breathing and sometimes orally.

Zimbabwe Institute of Permaculture Research survey, 1997.

African countries called for help in getting better technical, economic and legal information concerning chemicals within the scope of the Convention. Article 11 asks exporting Parties to assist importing Parties to obtain further information to help them take action, and to strengthen their capacities and capabilities to manage chemicals safely during their life-cycle.

Financing PIC

Developing countries will need resources to make PIC work, and the Convention contains no specific provision for technical and financial assistance. The information required to identify severely hazardous pesticide formulations may be difficult to document. Often small scale farmers or agricultural workers do not know the active ingredient and may be using a 'cocktail' of different pesticides.

Under-resourced regulators may be unable to mount an investigation into incidents, or may not hear of them. Very few countries in Africa even have a poison control centre. Both training and financial resources will be needed to help developing countries establish national registers and databases, reporting systems, poison control centres, rural health centres, communication infrastructures. Awareness raising activities about pesticides and their impacts targeted at

farmers, extension workers, health workers, researchers, agricultural suppliers and many others will be required.

How PIC is operated

- ❖ A government must appoint a Designated National Authority (DNA) to perform the administrative functions required by the Convention, acting on its behalf;
- ❖ a Chemical Review Committee will review PIC notifications and nominations, draft DGDs and make recommendations to the Conference of the Parties (COP);
- ❖ the COP will decide by consensus which new chemicals will be included in PIC and approve a DGD for each chemical;
- ❖ UNEP and FAO will serve as Secretariat for the interim period.

How PIC works

The main steps in the procedure are:

- ❖ Governments notify that they have banned or severely restricted a chemical or are experiencing problems with a severely hazardous pesticide formulation;
- ❖ a DGD is prepared and circulated;
- ❖ governments have nine months to transmit their decisions to the Joint Secretariat, but a lack of response does not mean consent
- ❖ the Joint Secretariat will disseminate importing countries' decisions every six months;
- ❖ exporting countries will ensure that their exporters comply with importing countries' decisions.

"We cannot permit the careless adoption of the products of science and technology. When technology endangers the life on earth and oceans ... the stakes are too high"

Klaus Topfer, Executive Director, UNEP

Key points

- ❖ PIC will provide information on banned and severely restricted pesticides
- ❖ Developing countries will need assistance to identify the severely hazardous pesticide formulations
- ❖ PIC training workshops and exchanges will raise standards
- ❖ Improved capacity to manage chemicals is essential if developing countries are to deal with pesticide hazards.

PIC in the EC

In Europe, the Rotterdam Convention will be operated on behalf of Member States by the European Commission (DGXI). Member States will count as one country for pesticides and chemicals banned or severely restricted in the European Union, but for most voting purposes Member States will count individually. The EU Council Regulation (EEC) 2455/92, came into force on 29 November 1992, and made Europe the first region to adopt a mandatory PIC scheme. The European Chemicals Bureau (ECB) in Ispra, Italy operates the European database (EDEXIM) containing information on the status of exports which require notification.

The Development Directorate, DGVIII, supported the voluntary PIC by providing funds for African workshops for regulators and others.

A role for donors

Donors can play a role in:

- ❖ funding training workshops and exchanges;
- ❖ supporting the ways of identifying severely hazardous pesticide formulations;
- ❖ financing poison control centres;
- ❖ capacity building for chemical management;
- ❖ ensuring no pesticide donations are made that contravene PIC and national registration;
- ❖ supporting agricultural developments which eliminate the use of hazardous chemicals.

The PIC Convention goes some way towards protecting people and their environment from unwanted chemical hazards, but implementation, training and capacity building are essential if the benefits are to be felt.

References

The PIC Circular is issued on a six-monthly basis by the Interim Joint Secretariat and contains information on recent developments and lists government decisions to prohibit or consent to pesticides included in PIC. Contact the Interim Joint Secretariat for the Rotterdam Convention, details below.

Guide to Council Regulation (EEC) No 2455/92 Concerning the Export and Import of Certain Dangerous Chemicals, DGXI, E.2, Environment, Nuclear Safety and Civil Protection (contact below), and European Chemicals Bureau, Ispra, Italy (Fax +39 322 789963, email elisabet.berggren@jrc.it). EUR17749 EN 1998,

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Pesticides in PIC at December 1998

Banned or severely restricted: 2,4,5-T, aldrin, captafol, chlordane, chlordimeform, chlorobenzilate, DDT, dieldrin, dinoseb and dinoseb salts, 1,2-dibromoethane (EDB), fluoroacetamide, HCH (mixed isomers), heptachlor, hexachlorobenzene, lindane, mercury compounds used in agriculture, pentachlorophenol. **Severely hazardous pesticide formulations:** certain formulations of monocrotophos, methamidophos, phosphamidon, methyl parathion, parathion.



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This briefing is one of a series prepared by Pesticide Action Network UK (PAN UK), which is responsible for its contents, as consultants to DGVIII of the EC. PAN UK is an independent charity working to reduce pesticide problems in developing countries. Its quarterly journal *Pesticides News* reports on pesticides and IPM.

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