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INTERGOVERNMENTAL NEGOTIATING COMMITTEE FOR AN
INTERNATIONAL LEGALLY BINDING INSTRUMENT
FOR IMPLEMENTING INTERNATIONAL ACTION ON
CERTAIN PERSISTENT ORGANIC POLLUTANTS

Sixth session

Geneva, 17-21 June 2002

Item 5 of the provisional agenda*

PREPARATION FOR THE CONFERENCE OF THE PARTIES

Draft rules of procedure, composition and operational guidelines for the functioning
the Persistent Organic Pollutants Review Committee **

Note by the secretariat

1. Paragraph 6 of Article 19 of the Stockholm Convention on Persistent Organic Pollutants states that:

“The Conference of the Parties shall, at its first meeting, establish a subsidiary body to be called the Persistent Organic Pollutants Review Committee for the purposes of performing the functions assigned to that Committee by this Convention.”

According to subparagraph 6 (b) of the Article, “The Conference of the Parties shall decide on the terms of reference, organization and operation of the Committee.”

2. The Conference of Plenipotentiaries on the Stockholm Convention on Persistent Organic Pollutants held in Stockholm on 22 and 23 May 2001, adopted resolution 1 on interim arrangements which, in its paragraph 5, invites the Intergovernmental Negotiating Committee to:

“recommend draft rules of procedure, composition and operational guidelines for the functioning of the subsidiary body to be established under paragraph 6 of Article 19 of the Convention for consideration by the Conference of the Parties at its first session” (UNEP/POPS/CONF/4, Appendix 1, resolution 1, paragraph 5).

* UNEP/POPS/INC.6/1.

** Stockholm Convention, Article 19, Conference of Plenipotentiaries of the Stockholm Convention, paragraph 6; resolution 1, paragraph 5.

3. In developing its recommendations on draft rules of procedure, composition and operational guidelines for the Persistent Organic Pollutants Review Committee, the Intergovernmental Negotiating Committee may wish to consider the decisions or terms under which the technical subsidiary bodies were established under itself and other intergovernmental bodies dealing with chemicals. Such bodies include the following (the decisions or terms of reference under which they are established are provided in document UNEP/POPS/INC.6/INF/4):

(a) Criteria Expert Group for Persistent Organic Pollutants, under the Intergovernmental Negotiating Committee for an International Legally Binding Instrument for Implementing International Action on Certain Persistent Organic Pollutants;

(b) Interim Chemical Review Committee, under 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; and

(c) Technical Working Group, under the Conference of the Parties to the Basel Convention on the Control of Transboundary Movements of Hazardous Wastes and their Disposal.

Each of the above subsidiary bodies operates or operated under the rules of procedure, mutatis mutandis, of the body under which they were established. The terms under which the subsidiary bodies were established indicate where their rules, composition or operational guidelines differ from the rules of procedure of the body that established them. In this regard, paragraph 3 of Rule 48 of the rules of procedure for the meetings of the Intergovernmental Negotiating Committee for an International Legally Binding Instrument for Implementing International Action on Certain Persistent Organic Pollutants (UNEP/POPS/INC.1/7, Annex I; or UNEP/POPS/CONF/PM/INF/1) states that: "The rules of procedure of subsidiary organs shall be those of the Committee, as appropriate, subject to such modifications as the Committee may decide upon in the light of proposals by the subsidiary organs concerned."

Possible action by the Committee

4. The Committee may wish to consider setting up a process to develop recommendations on draft rules of procedure, composition and operational guidelines for the functioning of the subsidiary body to be established under paragraph 6 of Article 19 of the Convention (the Persistent Organic Pollutants Review Committee) for consideration by the first meeting of the Conference of the Parties.
