

in Executive Order 12851 of June 11, 1993.

Dated: August 6, 1997.

Thomas E. McNamara,

Assistant Secretary of State for Political-Military Affairs.

[FR Doc. 97-22077 Filed 8-19-97; 8:45 am]

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DEPARTMENT OF STATE

[Public Notice 2591]

Bureau of Political-Military Affairs

AGENCY: Department of State.

ACTION: Determination Under the Arms Export Control Act.

Pursuant to Section 654(c) of the Foreign Assistance Act of 1961, as amended, notice hereby is given that the Under Secretary of State for Arms Control and International Security Affairs has made a determination pursuant to Section 73 of the Arms Export Control Act and has concluded that publication of the determination would be harmful to the national security of the United States.

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DEPARTMENT OF STATE

[Public Notice No. 2590]

Bureau of Oceans, Environment and Science; Public Meeting on an International Agreement on Prior Informed Consent for Certain Hazardous Chemicals and Pesticides

SUMMARY: This public meeting will provide an overview of ongoing negotiations through the U.N. Environment Program and the Food and Agriculture Organization to develop a binding agreement on the application of a prior informed consent procedure for certain hazardous chemicals and pesticides. The meeting will take place from 2:00 to 4:00 p.m. on September 24 in Room 6909, State Department, 2201 C Street Northwest, Washington, D.C. Attendees should use the entrance at C Street, and should provide Eunice Mourning (202-647-9266) with their date of birth and social security number by noon on September 23. Attendees should bring picture identification.

For further information, please contact Mr. Trigg Talley, U.S. Department of State, OES/ENV, Room

4325, 2201 C Street NW, Washington, D.C. 20520. Phone 202-647-5808, fax 202-647-5947.

SUPPLEMENTARY INFORMATION: The United States, through an interagency working group chaired by the State Department, is involved in negotiations through the U.N. Food and Agriculture Organization (FAO) and the U.N. Environment Programme (UNEP) on an agreement that would set into place a procedure for prior informed consent (PIC) for trade in certain especially hazardous chemicals and pesticides. Three negotiating sessions have taken place thus far, with two more sessions planned.

The agreement would make binding a currently voluntary scheme contained in the FAO International Code of Conduct on the Distribution and Use of Pesticides and the UNEP London Guidelines for the Exchange of Information on Chemicals in International Trade. The PIC procedure was developed in recognition of the fact that many countries in the developing world have inadequate capacity to generate information necessary to make decisions regarding how to effectively manage risks of especially hazardous chemicals, and in certain cases to ensure adequate compliance with risk management decisions. The procedure assists countries in learning more about the characteristics of certain especially hazardous chemicals that may be shipped to them, initiates a decision making process on the future import of these chemicals by the countries themselves, and facilitates the dissemination of this decision to other countries.

The voluntary PIC regime has been in place since 1991. 151 countries participate in the current scheme, which is jointly administered by the Plant Protection Division of FAO (for pesticides) and the UNEP International Registry for Potentially Toxic Chemicals (for other chemicals). Most major industrial chemical and pesticide associations support and participate in the system. Under the procedure, each country establishes a designated national authority to administer the procedure. In the United States, the Environmental Protection Agency's Assistant Administrator for Pesticides, Prevention and Toxic Substances acts as the designated national authority.

Chemicals eligible for the PIC procedure include those which have been banned or severely restricted by participating countries, as well as certain acutely hazardous pesticides which—even though they are not eligible on the basis of bans or severe

restrictions—are likely to pose particular problems in developing countries lacking the ability to impose the kinds of rigorous handling requirements available in developed countries.

Under the PIC procedure, countries notify the UNEP/FAO secretariat of domestic control actions to ban or severely restrict chemicals. A UNEP/FAO Group of Experts meets annually to prioritize among those chemicals eligible for the PIC procedure, and gives direction regarding the development of Decision Guidance Documents (DGDs) to provide information relating to each of the chemicals to be included in the procedure. DGDs describe the chemical and associated toxicological properties, as well as government control actions and the reasons for them. Once approved, the Decision Guidance Documents are circulated to participating countries for decision. In their decision, countries indicate whether they will permit use and importation, prohibit use and importation, or permit importation only under specified conditions. The response may be final, or countries may provide an interim response. Importing countries are expected to ensure that their decisions are applied to all sources of import and to domestic production for domestic use; exporting countries are expected to ensure that exports do not occur contrary to the decisions of importing countries. So far, 16 chemicals have been included in the procedure, and DGDs for a number of others are under development.

In order to enhance participation in the system, governments agreed in 1994 through FAO and UNEP to undertake negotiations to replace the voluntary process with a treaty-based regime. Negotiations have been underway since 1996, with three negotiating sessions occurring so far. Two more sessions are planned, with one session October 20-24, 1997, and one for January 1998. A signing conference is planned for sometime next spring.

The current negotiating text, as well as more complete information on the voluntary procedure and the negotiations generally, is located on the internet on the PIC Home Page (<http://irptc.unep.ch/pic/h2.html>), which can also be accessed through the UNEP Home Page (www.unep.ch).

The United States has advocated that the binding agreement reflect the scope and intent of the voluntary prior informed consent procedure. We have advocated greater formality in the procedures for consideration of additional chemicals to the list, reflecting the more formal nature of the