

ANNEX 1

IFCS Terms of Reference

Intergovernmental Forum on Chemical Safety Terms of Reference

1. Purpose and Aims

1.1 The Intergovernmental Forum on Chemical Safety (hereinafter called 'the Forum') is a non-institutional arrangement to provide analysis and report on progress of governments, international organizations and intergovernmental bodies in achieving the environmentally sound management of chemicals, and to provide advice, guidance and make recommendations.

1.2 The Forum seeks consensus amongst representatives of governments, in consultation and collaboration with other participants (see paragraph 3), on the development of priorities and strategies for the implementation of Agenda 21, Chapter 19 (Environmentally Sound Management Of Toxic Chemicals Including Prevention Of Illegal International Traffic In Toxic And Dangerous Products) and related issues, and undertakes periodic review of such strategies.

1.3 The purpose of the Forum is to provide policy guidance with particular emphasis on regional and sub-regional cooperation. It aims to develop strategies in a coordinated and integrated manner and foster an understanding of the issues. In promoting the required support needed to discharge these functions, the Forum will engage the attention of governments, donor agencies and financing institutions on the need for adequate resources.

1.4 The Forum shall provide:

- (a) clear and consistent advice for cost-effective, integrated risk assessment and management of chemicals using environmentally sound and generally accepted principles, including advice on alternatives to banned or severely restricted chemicals;
- (b) improved delineation and mutual understanding of roles, initiatives and activities both within and among governments and international organizations having responsibilities for chemical safety.

2. Functions

The functions of the Forum shall be to:

- (a) identify priorities for cooperative action on chemical safety, advise and, where appropriate, recommend concerted international strategies for hazard identification and risk assessment of chemicals, including occupational exposure, and for environmentally sound management of chemicals, including risk reduction programmes and risk communication, particularly taking into account the special needs of developing countries;

- (b) assist in securing the collaboration, through governments, of national, regional and international bodies active in the field of chemical safety, and avoid any duplication of effort in this area;
- (c) promote the strengthening of national coordinating mechanisms and of national capabilities and capacities for chemicals management, especially in relation to infrastructure building, training, education, research and monitoring, and provision of information;
- (d) promote international agreements and commitments on harmonized classification and labelling of chemicals;
- (e) assist in identifying gaps in scientific knowledge and promote information exchange and scientific and technical cooperation, including training, and education and technology transfer;
- (f) review periodically the effectiveness of relevant ongoing activities to implement recommended international strategies concerning chemical safety and make recommendations for further activities and, where necessary, advise on the strengthening or establishing the necessary follow-up mechanisms;
- (g) advise governments in their work on chemical safety with particular reference to legislative aspects, promote cooperation among governmental, intergovernmental and non-governmental organizations and encourage the appropriate distribution of work among organizations and other bodies within and outside the United Nations system in as clear and consistent a way as possible;
- (h) promote the strengthening of national programmes and international cooperation for the prevention of, preparedness for, and response to chemical accidents including major industrial accidents;
- (i) promote the strengthening of programmes for the prevention of and response to poisoning by chemicals; and,
- (j) perform other functions in pursuance of the purposes and aims of the Forum, as agreed by the Government Participants.

3. Participation

3.1 All Member States of the United Nations, of its Specialized Agencies and of the IAEA (International Atomic Energy Agency) shall be invited to participate in the Forum ("Government Participants"). Associate Members of any of the Specialized Agencies shall also be invited to participate, without the right to vote, in the Forum.

3.2 Relevant United Nations bodies and Specialized Agencies, as well as intergovernmental organizations representing subregional and regional geographic, political and economic groups of countries involved in the field of chemical safety ("Intergovernmental Participants"), shall be invited to participate, without the right to vote, in the Forum.

3.3 International non-governmental organizations concerned with science, health, workers' interests, the environment, consumers and industry, involved in the field of chemical safety shall be invited to participate, without the right to vote, in the Forum ("Non-governmental Participants").

3.4 The term "participants" in these Terms of Reference refers to all of the above governments, Associate Members and intergovernmental and non-governmental organizations.

3.5 Participants shall have the right to attend all Forum organized meetings (e.g. regional, *ad hoc* working groups, plenary etc). Exceptions should be for specific, limited and sensitive topics. The reasons for exclusion should be stated one day in advance to the secretariat.

4. Government Representation

The representative of each government should be a senior official concerned with chemical safety, including health and environmental issues. Advisers as appropriate may accompany each representative. It is expected that governments would ensure that their delegations reflect the full range of national interests.

5. Sessions

Subject to availability of funds, it is expected that sessions of the Forum will be held at intervals of 2-3 years. Periodically, sessions will review progress on Chapter 19 of Agenda 21 and the need for further sessions, as recommended by the Forum Standing Committee.

6. Officers

At each session, the Forum shall elect, from among the representatives of the Government Participants, Officers consisting of a President and five Vice-Presidents. They shall take office immediately after closure of the session during which they are elected and hold office until the end of the session following their election. Collectively, Officers carry out responsibilities delegated by a Session of the Forum or by the Forum Standing Committee to coordinate and support their work.

7. Forum Standing Committee

7.1 There shall be a Forum Standing Committee to:

- (a) bring forward new issues for their timely inclusion on the agenda at Sessions of the Forum;
- (b) provide guidance on the development of documents and other items on the agenda of the Forum;
- (c) assist in fund-raising for the Trust Fund and for funds to support participation in IFCS activities;

- (d) assist in regional efforts;
- (e) channel the views of participants into the planning of sessions of the Forum;
- (f) coordinate taking forward IFCS recommendations through national representatives to the governing bodies of international organizations, as appropriate;
- (g) coordinate transmittal of IFCS reports and information to the UN Commission on Sustainable Development, as appropriate; and,
- (h) perform other functions referred to it by the Forum.

7.2 The Forum Standing Committee shall consist of the elected officers, the immediate Past President, the Chairperson, *pro tem.*, of the Inter-Organization Coordinating Committee (IOCC) of the Inter-Organization Programme for the Sound Management of Chemicals (IOMC), a government participant representing the host country for the next Forum session, twelve government participants to be elected at each session of the Forum (taking into account equitable regional and geographic representation), and four representatives of non-governmental organizations designated by non-governmental participants present at the session and representing the interests of science, the public, industry and workers.

7.3 The Executive Secretary shall be an *ex officio* member of the Forum Standing Committee.

8.0 *Ad hoc* Working Groups

Subject to the availability of funds, the Forum, or the Forum Standing Committee may establish *ad hoc* Working Groups of Government and other agreed participants for a set period of time to undertake specific tasks. In accordance with the decisions of the Forum, or the Forum Standing Committee establishing the *ad hoc* Working Group concerned, other participants may participate, without the right to vote, in meetings of *ad hoc* Working Groups.

9.0 National Focal Points

9.1 Each country should have a single National Focal Point for the purpose of communication with IFCS. The National Focal Point should be a designated government position at a policy level, preferably in the Department or Agency with responsibility for coordination of chemical safety activities within the country.

9.2 The National Focal Point should provide the Forum with information on national priorities and progress respecting the environmentally sound management of chemicals. The National Focal Point should also disseminate information on Forum activities within the country, including to appropriate governmental and non-governmental organizations.

10. Administering Organization

Acting on instructions from the Forum Standing Committee, the President shall enter into agreements with an organization approved by the Forum Standing Committee respecting the employment of a secretariat and administrative services (including accommodations) required by the Secretariat.

11. Secretariat

The Forum, the Forum Standing Committee and *ad hoc* Working Groups shall be served by a Secretariat.

12. Decisions

12.1 The Forum shall make every effort to reach agreement on all matters by consensus. If all efforts to reach consensus have been exhausted and no agreement reached, the decision shall, as a last resort, be taken by a simple majority of the Governments present and voting. Each Government Participant shall have one vote. For the purposes of these Terms of Reference, the phrase "Government Participants present and voting" means Government Participants casting a valid affirmative or negative vote. Government Participants abstaining from voting are considered as not voting.

12.2 Elections of Officers of the Forum shall be decided by consensus; where consensus cannot be achieved, the election shall be decided by secret ballot.

13. Procedures

The Forum shall adopt, and may, at any session, amend its own rules of procedure. The Forum Standing Committee and *ad hoc* Working Groups shall apply, *mutatis mutandis*, the rules of procedure adopted by the Forum.

14. Agenda

The Secretariat, in consultation with and under the guidance of the President of the Forum, shall prepare a Provisional Agenda for each session of the Forum, including a recommendation for the meeting rapporteur. Any participant in the Forum may request the Secretariat to include specific items in the Provisional Agenda prior to its distribution. The Provisional Agenda shall be communicated to all participants in the Forum at least two months before the opening of the session. After the communication of the Provisional Agenda and before the adoption of the Agenda by the Forum, participants may propose only items of an important and urgent nature.

15. Budget and Expenses

15.1 The Forum Standing Committee shall prepare for consideration by each session of the Forum an estimate of expenditure related to the Forum, the Forum Standing Committee, and *ad hoc* Working Groups established by the Forum and a Secretariat, together with information concerning expenditures for the period since the last Forum. This estimate, with such modifications as may be considered appropriate

by the Forum in the light of potential funding, shall subsequently be considered in the budget of the Forum.

15.2 Any types of expenses related to participation in the Forum, Forum Standing Committee, regional meetings or *ad hoc* Working Groups are to be borne by participants unless otherwise agreed by the Forum. Nonetheless, the Forum, through its secretariat, shall undertake efforts towards the obtaining of funding in order to assure the participation of representatives of developing countries, countries with economies in transition, and non-governmental organizations.

16. Reports

The Forum shall consider and adopt a report at each session embodying the recommendations adopted. A statement summarizing minority views will be included when appropriate. Reports will be distributed to all participants in the Forum and, through appropriate channels, to the Commission on Sustainable Development and to the governing bodies of the IOMC participating organizations.

17. Languages

17.1 The working languages of the Forum shall be Arabic, Chinese, English, French, Russian and Spanish.

17.2 The agenda and final report of sessions of the Forum shall be in Arabic, Chinese, English, French, Russian and Spanish. All working documents shall include a section “Issues for consideration and action required by the Forum” which will be translated into Arabic, Chinese, English, French, Russian and Spanish. Simultaneous interpretation will be provided at sessions of the Forum.

17.3 The working language of the Forum Standing Committee is English. The Forum Standing Committee will consider the need for other languages on a case by case basis.