



ROTTERDAM CONVENTION

THE ROLE OF CUSTOMS IN THE IMPLEMENTATION OF ROTTERDAM CONVENTION

Customs authorities play a key role in the implementation of the Rotterdam Convention and in protecting their countries from unwanted trade of hazardous chemicals. Governments will be able to enforce national decisions on the import and export of hazardous chemicals if efficient coordination with their Customs authorities takes place.

Parties to the Convention are required to make decisions on whether or not they want to import the 40 hazardous chemicals listed in Annex III of the Convention (PIC chemicals). Designated National Authorities for the Rotterdam Convention (DNAs), the national contact points for the Convention, often based within the Ministries of Agriculture, Environment or Health, distribute these decisions to Customs authorities as well as to all national stakeholders (i.e. the industry sector) involved in the international trade of chemicals. Good cooperation and coordination between Customs authorities and DNAs is an essential component of the effective implementation of the Convention.

The contact information for DNAs, the list of chemicals covered under the Convention, a list of countries that are Party to the Convention and import decisions for all Parties can be found on the Convention's website (www.pic.int).

PROVISIONS OF THE ROTTERDAM CONVENTION RELEVANT TO CUSTOMS ACTIVITIES

The Rotterdam Convention sets out provisions among Parties for the import and export of PIC chemicals.

When importing chemicals, Customs authorities should be informed by their DNA on national import responses for PIC chemicals (Articles 10 and 11) and on any updates to the list of PIC chemicals (Articles 7 and 9). When exporting chemicals, Customs should be informed by their DNA on the chemicals that have been banned or severely restricted at the national level (Article 5).

LABELLING REQUIREMENTS

Under the Convention, Parties shall require that both PIC chemicals and chemicals banned or severely restricted are, when exported, subject to labelling requirements that ensure adequate availability of information with regard to risks and/or hazards to human health or the environment, taking into account relevant international standards.

DNAs and Customs officers should ensure that, for PIC chemicals and domestically banned or severely restricted chemicals, labelling provisions of the Convention are met (Article 13) and the necessary information is provided to accompany exports, including Harmonized System customs codes and safety data sheets in the official language(s) of the importing Party.

WORLD CUSTOMS ORGANIZATION AND ROTTERDAM CONVENTION

The **World Customs Organization** (WCO) has assigned specific Harmonized System (HS) customs codes to the individual chemicals and groups of chemicals listed in

Annex III (PIC chemicals) and each Party is required to include the relevant HS codes for exported chemicals in the shipping documents.

To increase awareness of the Rotterdam Convention, relevant information has been made available through the World Customs Organisation's training centres, Customs enforcement network and website.

BANNED OR SEVERELY RESTRICTED CHEMICALS

The Rotterdam Convention also makes provision for non-PIC chemicals that are banned or severely restricted by a Party and that are exported from that Party's territory (Article 12).

For these chemicals, an export notification has to accompany the shipment to a trading Party and the export notification must contain the specific information set out in Annex V of the Convention.

WHEN TRADE TAKES PLACE

PIC chemicals (Annex III)

DNAs and Customs officials should work together to develop a standard procedure for the implementation of the Convention in order to benefit fully from its provisions, taking into account the following elements:

- ensure that a current list of PIC chemicals is available;
- integrate the specific HS codes for PIC chemicals into the domestic Customs system;
- ensure that import of PIC chemicals complies with national import decisions;
- ensure that the list of import decisions is up-to-date;
- ensure that exports of PIC chemicals comply with import decisions from all other Parties.

Banned or severely restricted chemicals

DNAs and Customs officers should ensure that the list of domestically banned or severely restricted chemicals is updated, as these chemicals must be accompanied by an export notification. Customs and DNAs should define a procedure to check whether an export notification has been sent for the first export of such a chemical to a Party in a calendar year (Article 12).

TECHNICAL ASSISTANCE UNDER ROTTERDAM CONVENTION

Since 2005, the Rotterdam Convention has organised a series of consultations for the development of elements of national action plans for the implementation of the Convention. Customs authorities have been invited to participate in these consultations in order to facilitate the exchange of information and coordination between DNAs and Customs authorities.

The Rotterdam Convention is also an active partner in the Green Customs Initiative (GCI) together with

Basel, Montreal, and Stockholm Conventions, CITES, WCO and Interpol. The objective of this initiative is the reduction and elimination of illegal trade in environmentally-sensitive commodities covered by specific MEAs (Multilateral Environmental Agreements), such as ozone depleting substances, hazardous chemicals and wastes. The GCI carries out technical assistance activities to increase customs officers' awareness of the link between MEAs such as the Rotterdam Convention and customs-related issues.

Cooperation on Customs issues also provides an excellent opportunity to enhance synergies between the Rotterdam, Basel and Stockholm Conventions, as the Conventions cover similar chemicals.

Case studies prepared by the DNAs of Jamaica and Switzerland provide successful working examples of how two countries, with very different operational systems, have integrated customs officers into their national procedures for implementing the Convention.

The Convention's technical assistance activity schedule, as well as existing national action plans, can be found on the Convention's website.

FOR MORE INFORMATION

The following links provide more information on the Rotterdam Convention:

Rotterdam Convention website

<http://www.pic.int>

List of designated national authorities

<http://www.pic.int/dnas.php>

List of chemicals covered by the Rotterdam Convention

<http://www.pic.int/annexiii.php>

List of Parties to the Convention

<http://www.pic.int/parties.php>

Import responses

<http://www.pic.int/Reports/06-ICRs-Country-Parties.asp>

Text of the Convention

<http://www.pic.int/textofconvention.php>

Samples of standard safety data sheets

http://www.ilo.org/public/english/protection/safework/cis/products/icsc/dtasht/_icsco2/icsco254.htm

Case studies on customs-related implementation of the Rotterdam Convention

http://www.pic.int/customs/case_studies.zip

Technical assistance activities

<http://www.pic.int/home.php?type=t&id=291&sid=2>