



**Rotterdam Convention on the Prior
Informed Consent Procedure for
Certain Hazardous Chemicals and
Pesticides in International Trade**

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**Working group on enhancing the
effectiveness of the Rotterdam Convention**

First meeting

Riga, Latvia, 4–6 June 2018

Agenda item 4 (a)

**Recommendations for enhancing the effectiveness of the
Convention: consideration of priority actions to
enhance the effectiveness of the Convention**

**Synthesis and compilation of comments on the report analysing
the legal and operational implications of the priority actions to
enhance the effectiveness of the Rotterdam Convention**

Addendum

**Additional comments on the report analysing the legal and operational
implications of the priority actions to enhance the effectiveness of the
Rotterdam Convention**

Note by the Secretariat

The annex to the present note sets out additional comments on the report analysing the legal and operational implications of the priority actions to enhance the effectiveness of the Rotterdam Convention that have been received by the Secretariat after 7 May 2018. The comments are set out as received. The present note, including its annex, has not been formally edited.

Annex

Comments submitted by Cuba on the report analysing the legal and operational implications of the priority actions to enhance the effectiveness of the Rotterdam Convention

COMEMMENTS ON THE “REPORT ON LEGAL AND OPERATIONAL INMPLICATIONS OF PRIORITY ACTIONS TO ENHANCE THE ETECTIVENESS OF THE ROTTERDAM CONVENTION”.

Cuba wishes to thank the Secretariat of the Rotterdam Convention for its efforts in preparing this report. Our country recognizes the importance of improving the implementation of the Rotterdam Convention and other MEAs related to chemicals. At the same time, we reiterate our concern about the growing difficulties and the need to strengthen the capacities of developing countries, especially the small island developing countries, facing the continuous increase of chemical products and hazardous waste listed in these Conventions.

Cuba has only one integrated designated national authority for the Rotterdam, Stockolm, and Basel Conventions. We have a high staff turnover in national authority, as an others developing countries.

Our country does support the review of certain articles of the Rotterdam Convention, because it could lead to a complete revision of the Convention. Furthermore, it reiterates the need of the Rotterdam Convention has an adequate and predictable financial mechanism that does not detract the funds destined to comply with the obligations of other MEAs.

Comentarios específicos:

Category A: The listing process

1. Actions to improve the adoption of FRAs

Developing countries should receive technical and financial assistance to improve: the ability to know if they have activities or information pending to submit and the capacities to develop records of hazardous chemicals, inventories and risk assessments.

5. Actions to facilitate consensus-finding at the COP

Our country considers, as an important aspect, to analyze the impact of listing on the international market, including the assessment of the technological and economical scope of this impact for the developing countries. Our country proposes a study on such impacts.

6. Actions to amend the decision-making process for listing chemicals

About the different alternatives to permit “a flexible entry in force of the PIC procedures”, from the legal point of view, it would mean modifying the Convention. Our country does support the revision of certain articles of the Rotterdam Convention that it could cause the risk of its complete revision.

In addition, the different alternatives given in the Report with this objective would have operational implications that would further complicate the work of national authorities.

In this regard, we would support to continue using of Article 14 as a means for Parties to implement a voluntary PIC for chemicals that have not yet reached consensus.

About the alternatives proposed in the Report, our country considers as the least complicated “to establish a new Annex (voluntary PIC) for chemicals for which are not possible to reach consensus.”

Category B: The PIC procedure

3. Actions to improve Parties' control of chemicals imports

We suggest providing training to customs and import authorities to increase knowledge about the chemicals procedures and control.

4. Actions to improve the implementation of the PIC procedure in general

Our suggestion is to elaborate a legislative framework model with the objective the developing countries can use it as reference and update our legislation.

Category C: Overall effectiveness of the Convention

3. Actions to determine and address non-compliance with the provisions of the Convention.

Our country considers that the implementation of a non-compliance mechanism should be accompanied by a transparent financial mechanism that does not detract from the availability of funds from other MEAs.

This mechanism should not be punitive and should be aimed at identifying gaps in the Parties to assist them in improving compliance with the Convention.

7. Actions to improve the availability of technical assistance and capacity-building in general

Cuba suggests increasing the capacities of the developing countries for their full participation in COP, CRC, etc., including the interpretation to the six official languages of the United Nations of these meetings and their working groups, as well as of the main documents.

8. Actions to improve the availability of funding for national implementation

Our country suggests establishing a predictable and adequately resourced financial mechanism, with new and additional funds, that allow developing countries in order to comply with the commitments of the Rotterdam Convention.
