

## Rotterdam Convention

### Exchange of information on the implementation of paragraph 2 of Article 11 and Articles 12 and 14 of the Convention

### Questionnaire for the submission of information on exports, export notifications and on information exchange

**Relevant period: 1 January 2018 to 31 December 2018**

#### Introduction

At its seventh meeting held in 2015, the Conference of the Parties to the Rotterdam Convention by **decision RC-7/2** requested the Secretariat to facilitate, subject to availability of resources, the exchange of information and report to each meeting of the Conference of the Parties on the implementation of Articles 11 (paragraph 2), 12 and 14 of the Convention.

Paragraph 2 of Article 11 relates to ensuring that export of a chemical listed in Annex III of the Convention does not take place to an importing Party that failed to transmit an import response or transmitted an interim response that does not contain an interim decision unless certain conditions are met. Article 12 describes the provisions related to export notifications. Information requirements for export notifications are provided in Annex V to the Convention. Article 14 describes the provisions on information exchange.

Designated National Authorities (DNAs) of Parties to the Convention are requested to respond to this questionnaire as far as possible within information available to them and in coordination with all relevant national stakeholders as far as is feasible. The responses to the questionnaire will be made available on the Convention website, compiled by the Secretariat and reported to the Conference of the Parties at its next ordinary meeting.

#### Instructions for completing and submitting the questionnaire:

Parties are requested to complete the questionnaire and submit it to the Secretariat by **31 December 2019**.

Please respond to the questionnaire based on the available national information for the period from **1 January 2018 to 31 December 2018**.

Please collaborate with other DNAs and Official Contact Points (OCPs) that your country has designated, in order to provide a coordinated response to the questions below.

If you do not have the information available to respond to a question, please write the acronym "NIA" for "No information available" in the space provided.

The responses to the questionnaire received from Parties for the year 2016 were reported to the Conference of the Parties at its ninth meeting in document **UNEP/FAO/RC/COP.9/INF/8**. If your country has submitted information for that year, you may wish to refer to the above document for information to facilitate completing relevant sections of the current questionnaire.

### **How to save and submit the questionnaire:**

- Click “Save” at the top or at the bottom of each page to save the information at any time. You can log out by closing the browser and return later to make changes or complete the questionnaire. To be able to "Save", your browser cookies must be activated.
- Once completed the questionnaire, click “Review and submit” at the top or at the bottom of the last page. Review the answers. If necessary, click "Back to survey" to modify or complete the answers. Finally, submit the questionnaire by clicking "Submit questionnaire" at the top or at the bottom of the last page. On the next page that will be displayed you will be able to download a Word document containing a copy of your answers by clicking on "download answers" hyperlink.
- Only one submission per country is allowed. Each Party is requested to designate only one submitter for this questionnaire.

### **Technical support and questions:**

For technical support and questions on industrial chemicals, please contact Mr. Alexander Mangwiro by:

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For questions on pesticides, please contact Mr. Aleksandar Mihajlovski by:

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# Questionnaire for the submission of information on exports, export notifications and on information exchange

Relevant period: 1 January 2018 to 31 December 2018

## PART A: OBLIGATIONS IN RELATION TO EXPORTS OF ANNEX III CHEMICALS

### Article 11 of the Rotterdam Convention

Obligations in relation to exports of chemicals listed in Annex III

#### Paragraph 2

2. *Each Party shall ensure that a chemical listed in Annex III is not exported from its territory to any importing Party that, in exceptional circumstances, has failed to transmit a response or has transmitted an interim response that does not contain an interim decision, unless:*

*(a) It is a chemical that, at the time of import, is registered as a chemical in the importing Party; or*

*(b) It is a chemical for which evidence exists that it has previously been used in, or imported into, the importing Party and in relation to which no regulatory action to prohibit its use has been taken; or*

*(c) Explicit consent to the import has been sought and received by the exporter through a designated national authority of the importing Party. The importing Party shall respond to such a request within sixty days and shall promptly notify the Secretariat of its decision.*

*The obligations of exporting Parties under this paragraph shall apply with effect from the expiration of a period of six months from the date on which the Secretariat first informs the Parties, in accordance with paragraph 10 of Article 10, that a Party has failed to transmit a response or has transmitted an interim response that does not contain an interim decision, and shall apply for one year.*

**Based on the requirements of paragraph 2 of Article 11 above, please provide the following information:**

#### **Control of exports of chemicals listed in Annex III of the Rotterdam Convention**

A.1. What are the established procedures in your country for the control of exports of chemicals listed in Annex III to the Rotterdam Convention under those exceptional circumstances where an importing Party has failed to transmit an import response or has transmitted an interim response that does not contain an interim decision? What happens when an importing Party has failed to transmit an import response and then you receive an export request?

A.2. To what extent has paragraph 2 of Article 11 of the Convention been applied in your country as the basis for exporting Annex III chemicals **within the one-year period** provided in that paragraph?

A.3. To what extent has paragraph 2 of Article 11 of the Convention been applied in your country as the basis for exporting Annex III chemicals **after the expiration of the one-year period** provided in that paragraph?

### Exports of chemicals listed in Annex III of the Rotterdam Convention

1. Does your country export chemicals listed in Annex III of the Rotterdam Convention?

- Yes
- No
- No information available

1.1. If yes, please complete Form 1 below, with the following information for each chemical exported:

1.1.1 **Annex III chemical:** *Enter the name(s) of the Annex III chemical exported.*

1.1.2 **Importing country:** *Select the importing country using the dropdown list.*

1.1.3 **Date:** *Enter the date of export using the format day/month/year.*

1.1.4 **No. of exports:** *Enter the number of exports of the chemical indicated in item 1.1.1, to the importing country indicated in item 1.1.2, on the date indicated in item 1.1.3.*

1.1.5 **Provision:** *Select the provision for the export, as per paragraph 2 of Article 11, using the relevant checkbox:*

- Provision (a): Article 11 (2) (a) - Registered as a chemical in the importing Party, at the time of import
- Provision (b): Article 11 (2) (b) - Evidence exists that the chemical has been previously used/imported into the importing Party and, not prohibited
- Provision (c): Article 11 (2) (c) - Explicit consent to the import has been sought and received by the exporter through the DNA of the importing Party.
- There is no obligation to apply par. 2 of Article 11. *This option is selected, for example, when the importing Party has transmitted a response or an interim decision; or the one-year period provided in paragraph 2 of Article 11 has expired.*

**Remarks:** *Enter remarks if any.*

To add a new chemical click on the "Add Annex III chemical exported" button or the hyperlink at the right of the chemicals table that will appear.

You can edit, delete or add chemicals before submitting the questionnaire.

Alternatively, you can submit (\*) an Excel file containing the requested information. The Excel file must follow an **Excel file template that you can download**.

**FORM 1: INFORMATION EXCHANGE ON EXPORT OF ANNEX III CHEMICALS**

1.1.1 Annex III chemical	_____
1.1.2 Importing country	[Select...]_____
1.1.3 Date (dd/mm/yyyy)	_____
1.1.4 No. of exports	_____
1.1.5 Provision (a)	<input type="checkbox"/>
1.1.5 Provision (b)	<input type="checkbox"/>
1.1.5 Provision (c)	<input type="checkbox"/>
1.1.5 No obligation for par. 2 of Art. 11	<input type="checkbox"/>
Remarks	_____ _____ _____

(\*) Submit the Excel file containing the information requested in Form 1 (only if you have not used the above form):

Upload: \_\_\_\_\_

## PART B: OBLIGATIONS IN RELATION TO EXPORT NOTIFICATIONS

### **Article 12 of the Rotterdam Convention** *Export Notification*

1. *Where a chemical that is banned or severely restricted by a Party is exported from its territory, that Party shall provide an export notification to the importing Party. The export notification shall include the information set out in Annex V.*
2. *The export notification shall be provided for that chemical prior to the first export following adoption of the corresponding final regulatory action. Thereafter, the export notification shall be provided before the first export in any calendar year. The requirement to notify before export may be waived by the designated national authority of the importing Party.*
3. *An exporting Party shall provide an updated export notification after it has adopted a final regulatory action that results in a major change concerning the ban or severe restriction of that chemical.*
4. *The importing Party shall acknowledge receipt of the first export notification received after the adoption of the final regulatory action. If the exporting Party does not receive the acknowledgement within thirty days of the dispatch of the export notification, it shall submit a second notification. The exporting Party shall make reasonable efforts to ensure that the importing Party receives the second notification.*
5. *The obligations of a Party set out in paragraph 1 shall cease when:*
  - (a) *The chemical has been listed in Annex III;*
  - (b) *The importing Party has provided a response for the chemical to the Secretariat in accordance with paragraph 2 of Article 10; and*
  - (c) *The Secretariat has distributed the response to the Parties in accordance with paragraph 10 of Article 10.*

**Based on the requirements of Article 12 above, please provide the following information:**

### **Exports of banned or severely restricted chemicals to other Parties**

2. Does your country **export** chemicals that have been banned or severely restricted in your territory?

- Yes
- No
- No information available

2.1. If yes, please complete Form 2 below, with the following information for each chemical exported:

2.1.1 **Chemical exported:** *Enter the name(s) of the chemical exported from your country.*

2.1.2 **No. of export notifications provided:** *Enter the number of export notifications provided to the importing Parties relevant to each chemical where the expected or effective date of export occurs within the period from 1 January 2018 to 31 December 2018.*

2.1.3 **No. of acknowledgments received:** *Enter the number of acknowledgements of export notifications your country has received from importing Parties.*

2.1.4 **No. of waivers received:** *Enter the number of waivers of requirement, as per paragraph 2 of Article 12, for export notification transmitted to your country by importing Parties.*

**Remarks:** *Enter remarks if any.*

To add a new chemical click on the "Add chemical exported" button or the hyperlink at the right of the chemicals table that will appear.

You can edit, delete or add chemicals before submitting the questionnaire.

Alternatively, you can submit (\*) an Excel file containing the requested information. The Excel file must be formatted using **an Excel file template that you can download**.

**FORM 2: INFORMATION ON EXPORT NOTIFICATIONS SENT ON BANNED OR SEVERELY RESTRICTED CHEMICALS**

2.1.1 Chemical exported	_____
2.1.2 No. of export notifications provided	_____
2.1.3 No. of acknowledgements received	_____
2.1.4 No. of waivers received	_____
Remarks	_____
	_____
	_____
	_____

(\*) Upload the Excel file containing the information requested in Form 2 (only if you have not used the above form):

Upload: \_\_\_\_\_

**Imports of banned or severely restricted chemicals**

3. Does your country receive **imports** of chemicals from other Parties that are banned or severely restricted in the exporting party?

- Yes
- No
- No information available

3.1. If yes, please complete the Form 3, below, with the following information for each chemical imported:

3.1.1 **Chemical imported:** *Enter the name(s) of the chemical imported.*

3.1.2 **No. of export notifications received:** *Enter the number of export notifications that have been received by your country relevant to each chemical where the expected or effective date of export occurs within the period from 1 January 2018 to 31 December 2018.*

3.1.3 **No. of acknowledgements provided:** *Enter the number of acknowledgements of export notifications provided by your country to exporting Parties.*

3.1.4 **No. of waivers provided:** *Enter the number of waivers of requirement, as per paragraph 2 of Article 12, for export notification transmitted by your country to exporting Parties.*

Remarks: *Enter remarks if any.*

To add a new chemical click on the "Add chemical imported" button or the hyperlink at the right of the chemicals table that will appear.

You can edit, delete or add chemicals before submitting the questionnaire.

Alternatively, you can submit (\*) an Excel file containing the requested information. The Excel file must be formatted using **an Excel file template that you can download**.

**FORM 3: INFORMATION ON EXPORT NOTIFICATIONS RECEIVED ON BANNED OR SEVERELY RESTRICTED CHEMICALS**

3.1.1 Chemical imported \_\_\_\_\_

3.1.2 No. of export notifications received \_\_\_\_\_

3.1.3 No. of acknowledgements provided \_\_\_\_\_

3.1.4 No. of waivers provided \_\_\_\_\_

Remarks \_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

(\*) Upload the Excel file containing the information requested in Form 3 (only if you have not used the form above):

Upload: \_\_\_\_\_



## PART C: INFORMATION EXCHANGE

### **Article 14 of the Rotterdam Convention Information Exchange**

#### **Paragraph 1**

1. Each Party shall, as appropriate and in accordance with the objective of this Convention, facilitate:

(a) The exchange of scientific, technical, economic and legal information concerning the chemicals within the scope of this Convention, including toxicological, ecotoxicological and safety information;

(b) The provision of publicly available information on domestic regulatory actions relevant to the objectives of this Convention; and

(c) The provision of information to other Parties, directly or through the Secretariat, on domestic regulatory actions that substantially restrict one or more uses of the chemical, as appropriate.

**Based on the requirements of Article 14, please provide the following information:**

4. Does your country possess any of the following information concerning the chemicals within the scope of the Rotterdam Convention to share with other Parties?

4.1. *Scientific information:*

Yes

4.1.1 Please provide how the information could be shared and/or exchanged:

Links to related websites.  
If available please specify:

Submission to the Secretariat for posting on the website.  
If available, please upload the information you wish to share through the Convention website

Other (please specify):

No

4.2. *Technical information:*

Yes

4.2.1 Please provide how the information could be shared and/or exchanged:

- Links to related websites.  
If available please specify:
- Submission to the Secretariat for posting on the website.  
If available, please upload the information you wish to share through the Convention website
- Other (please specify):

No

4.3. *Toxicological, eco-toxicological and/or safety information:*

Yes

4.3.1 Please provide how the information could be shared and/or exchanged:

- Links to related websites.  
If available please specify:
- Submission to the Secretariat for posting on the website.  
If available, please upload the information you wish to share through the Convention website
- Other (please specify):

No

4.4. *Economic information:*

Yes

4.4.1 Please provide how the information could be shared and/or exchanged:

- Links to related websites.  
If available please specify:
- Submission to the Secretariat for posting on the website.  
If available, please upload the information you wish to share through the Convention website

Other (please specify):

No

4.5. *Legal information:*

Yes

4.5.1 Please provide how the information could be shared and/or exchanged:

Links to related websites.

If available please specify:

Submission to the Secretariat for posting on the website.

If available, please upload the information you wish to share through the Convention website

Other (please specify):

No

5. Can your country provide publicly available information on **domestic regulatory actions relevant to the objectives of this Convention** concerning chemicals to share with other Parties within the scope of the Rotterdam Convention?

Yes

5.1 "Yes" answer. Please provide how the information could be shared and/or exchanged:

Links to related websites.

If available please specify:

Submission to the Secretariat for posting on the website.

If available, please upload the information you wish to share through the Convention website

Other (please specify):

No

5.1 . "No" answer (*Please select as applicable*):

The information is not publicly available

Other (please specify):

6. Does your country possess information to share, as appropriate, with other Parties, directly or through the Secretariat, on **domestic regulatory actions that substantially restrict one or more uses of a particular chemical?**

Yes

6.1 Please provide how the information could be shared and/or exchanged:

Directly with other parties

Publicly available.

Please specify where it may be accessed:

Submission to the Secretariat for posting on the website

If available, please upload the information you wish to share through the Convention website:

Other (please specify):

No

### Comments and suggestions

Please use the space provided below to include any additional comments and /or suggestions you may wish to make, if any, about exchanging information under Articles 11, 12 and 14: