



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

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

Sixth meeting

Geneva, 28 April–10 May 2013

Item 5 (a) of the provisional agenda*

**Matters related to the implementation of the Convention:
status of implementation**

**Information on the implementation of the Rotterdam
Convention**

Note by the Secretariat

I. Introduction

1. The annex to the present note provides information relating to the implementation of the Rotterdam Convention, covering the period from 1 November 2010 to 31 October 2012, regarding the following:

- (a) Parties, official contact points and designated national authorities;
- (b) Notifications of final regulatory action to ban or severely restrict a chemical;
- (c) Proposals for inclusion of severely hazardous pesticide formulations;
- (d) Obligations in relation to the import of chemicals listed in Annex III to the Convention;
- (e) Obligations in relation to the export of chemicals;
- (f) Information exchange.

II. Proposed action

2. The Conference of the Parties may wish to do the following:

(a) To take note of the information on the implementation of the Rotterdam Convention by parties and the progress achieved between 1 November 2010 and 31 October 2012;

(b) To remind parties of their obligations to ensure the effective implementation of the Convention, including the procedures under Articles 5, 6 and 10 of the Convention, and, in particular:

- (i) To encourage parties to exchange information in accordance with the provisions of the Convention, by submitting notifications of final regulatory action for banned or severely restricted chemicals;

* UNEP/FAO/RC/COP.6/1.

- (ii) To invite parties which have not yet done so to submit import responses for alachlor, aldicarb and endosulfan, or to request the Secretariat for assistance if deemed necessary.

Annex

Information on the implementation of the Rotterdam Convention as at 31 October 2012

I. Introduction

1. The present report provides information on implementation of the Rotterdam Convention, highlighting the progress made between 1 November 2010 and 31 October 2012. The information provided herein is limited to those parties for which the Convention had entered into force as at 1 November 2012. The reporting period reflects the information published in PIC Circulars XXXIII (June 2011) to XXXVI (December 2012).

2. The report comprises six sections pertaining to information circulated to designated national authorities by the Secretariat through the PIC Circular, pursuant to Articles 4 to 7, 10 to 14 and 25 of the Convention, along with information on activities of parties that are not reported in the PIC Circular.

A. Parties, official contact points and designated national authorities

3. As at 31 October 2012, the Convention had 150 parties, with the Convention having entered into force for 148 of them. During the reporting period, 10 countries ratified the Convention. A list of the parties to the Convention is available on the Convention website and is updated regularly.¹

Table 1

Overview of the number and distribution of parties by PIC region (as at 31 October 2012)

<i>PIC region</i>	<i>Number of parties</i>	<i>Parties as a percentage of countries within each region</i>
Africa	44	83 per cent
Asia	18	72 per cent
Europe	42	82 per cent
Latin America and the Caribbean	28	85 per cent
Near East	11	69 per cent
North America	1	50 per cent
Southwest Pacific	6	38 per cent

4. The 150 parties to the Convention have nominated 404 official contact points. There is no limit on the number of contact points and some countries have nominated up to five official contact points, including multiple contact points within a single ministry. In such instances, an indication of the responsibilities of each contact point or the appointment of a central contact point for the group may improve communication and enhance information sharing among parties. Information on official contact points is updated regularly and is available on the Convention website.²

5. As at 31 October 2012, 147 of the 150 parties to the Convention had nominated 279 designated national authorities in accordance with Article 4 of the Convention. The Secretariat received 76 new nominations of new designated national authorities and 36 requests to update information regarding existing authorities during the reporting period. Information about designated national authorities is available on the Convention website³ and is distributed with the PIC Circular every June and December.

6. As at 31 October 2012, the following three parties had not nominated designated national authorities: Montenegro, Saint Vincent and the Grenadines, and Somalia. The Secretariat continues to follow up with those parties.

¹ www.pic.int/Countries/Statusofratifications/tabid/1072/language/en-US/Default.aspx.

² www.pic.int/Countries/OfficialContactPoints/RoleandResponsibilities/tabid/2155/language/en-US/Default.aspx.

³ www.pic.int/Countries/DesignatedNationalAuthorities/Database/tabid/1375/language/en-US/Default.aspx.

7. The Secretariat sends a welcome letter and information package to each new designated national authority, providing general and specific information on the Convention. A CD-ROM is included to provide information needed by a designated national authority for the implementation of the Convention, such as guidance documents and training materials.⁴

8. The Secretariat has developed a self-directed electronic learning (e-Learning) course for designated national authorities on the Convention's key operational elements. The e-Learning course is available on the Convention website in English, French and Spanish and can be obtained upon request as a CD-ROM from the secretariat.⁵

B. Notification of final regulatory action to ban or severely restrict a chemical

9. Article 5 of the Convention sets forth provisions relating to a notification of final regulatory action to ban or severely restrict chemicals. Under Article 5, when a final regulatory action to ban or severely restrict a chemical is taken, parties must notify the Secretariat in a timely manner and provide, where available, the information listed in Annex I to the Convention.

10. In accordance with paragraph 3 of Article 5, the Secretariat circulates a summary of a notification of final regulatory action received after verifying that it includes the information listed in Annex I to the Convention. Paragraph 4 of the same article obliges the Secretariat to circulate a synopsis of all the notifications of final regulatory action that it has received, including information regarding those notifications that do not include all the information listed in Annex I to the Convention. This information is communicated to parties through the PIC Circular.

11. During the reporting period, the Secretariat received 45 notifications from 16 parties.⁶ A total of 41 notifications were verified as containing the information listed in Annex I. Of those notifications, 36 were for chemicals that were not listed in Annex III to the Convention and five were for chemicals already listed in Annex III. Of the 41 complete notifications, 38 were for pesticides, one was for an industrial chemical and two applied to both categories. Two parties submitted notifications that did not contain some of the information requirements of Annex I.

Table 2

Number of notifications and parties submitting notifications over the reporting period (1 November 2010 to 31 October 2012)

<i>Period</i>	<i>Total number of notifications submitted</i>	<i>Number of notifications that contained Annex I requirements and number of parties⁷</i>	<i>Number of notifications that did not contain Annex I requirements and number of parties</i>
1 November 2010 – 30 April 2011	10	10 from 3 parties	0 from 0 parties
1 May 2011 – 31 October 2011	7	7 from 3 parties	0 from 0 parties
1 November 2011 – 30 April 2012	15	12 from 10 parties	3 from 1 party
1 May 2012 – 31 October 2012	13	12 from 4 parties	1 from 1 party

12. There are 209 chemicals that are not currently listed in Annex III and for which notifications have been received and verified as containing the information requirements of Annex I. Once an additional notification verified as containing the information listed in Annex I has been submitted from a second PIC region for any of these chemicals, they will then be taken up for consideration by the Chemical Review Committee for possible recommendation for inclusion into Annex III and the PIC procedure. A current list of the chemicals for which notifications have been received can be found in appendix V of the PIC Circular.

13. In decision RC-5/2 on increasing the number of notifications of final regulatory actions and communication between parties, the Conference of the Parties requested the Secretariat, among other things, to make proposals to increase the number of notifications of final regulatory action. Those

⁴ The Resource Kit is also available online at www.pic.int/Implementation/RessourceKit/tabid/1064/language/en-US/Default.aspx#GUIDANCEINFO.

⁵ www.pic.int/Implementation/RessourceKit/tabid/1064/language/en-US/Default.aspx#TRAININGMAT.

⁶ The European Community submitted 15 notifications during the reporting period. Those notifications relate to regulatory actions affecting the 27 member States of the European Union, of which 26 are parties to the Convention.

⁷ Each notification from the European Union was counted only once, although the regulatory action affects the 27 member States of the European Union.

proposals, along with guidance for the submission of notifications, are contained in document UNEP/FAO/RC/COP.6/16.

14. The Secretariat, in October 2012, sent a letter to designated national authorities to remind them of their obligation under Article 5 of the Convention to notify final regulatory actions taken to ban or severely restrict a chemical.

15. At its eighth meeting, in March 2012, the Chemical Review Committee considered a total of four notifications in support of two chemicals. In addition, the Committee reviewed four draft decision guidance documents: three for industrial chemicals and one on a proposal for a severely hazardous pesticide formulation. Those draft decision guidance documents were approved and are available, along with the draft decision guidance document for azinphos-methyl approved by the Committee at its seventh meeting, in documents UNEP/FAO/RC/COP.6/7/Add.1, UNEP/FAO/RC/COP.6/8/Add.1, UNEP/FAO/RC/COP.6/9/Add.1, UNEP/FAO/RC/COP.6/10/Add.1 and UNEP/FAO/RC/COP.6/11/Add.1. More information on the eighth meeting of the Committee is available in document UNEP/FAO/RC/COP.6/6.

16. The report of the Committee on the work of its eighth meeting is available in document UNEP/FAO/RC/CRC.8/12. The ninth meeting of the Committee, which was originally scheduled to be held in March 2013, has been re-scheduled for October 2013. More information is available in document UNEP/FAO/RC/COP.6/6.

C. Proposals for inclusion of severely hazardous pesticide formulations

17. Article 6 of the Convention sets forth provisions relating to proposals for the inclusion of severely hazardous pesticide formulations in Annex III to the Convention. A proposal for the inclusion of fenthion 640 g/L ULV was published in the PIC Circular of December 2012. The Secretariat, in line with Part 2 of Annex IV, collects relevant information relating to the formulation, including a call to Parties for such information. This proposal will be submitted to the Chemical Review Committee for review at its ninth meeting in October 2013.

18. The proposal for listing liquid formulations (emulsifiable concentrate and soluble concentrate) containing paraquat dichloride at or above 276 g/L, corresponding to paraquat ion at or above 200 g/L in Annex III to the Convention, submitted by Burkina Faso in 2010, was reviewed by the Committee at its seventh meeting in 2011 and was subsequently recommended for listing in Annex III to the Convention. The draft decision guidance document and rationale and recommendation are presented in documents UNEP/FAO/RC/COP.6/11/Add.1 and UNEP/FAO/RC/COP.6/INF/8 respectively.

D. Obligations in relation to the import of chemicals listed in Annex III to the Convention

19. Article 10 of the Convention sets forth provisions in relation to the import of chemicals listed in Annex III to the Convention and subject to the PIC procedure. In accordance with paragraph 10 of Article 10, the Secretariat informs all parties of the responses received regarding future imports of such chemicals every six months, including, where available, a description of the legislative or administrative measures on which import decisions are based. Information on cases of failure by parties to transmit such responses is also provided. This information is communicated to parties through appendix IV of the PIC Circular.

20. As at 31 October 2012, 43 chemicals were listed in Annex III, including 28 pesticides, 4 severely hazardous pesticide formulations and 11 industrial chemicals, and were therefore subject to the PIC procedure. Parties are obliged to submit import responses for each of those chemicals. A total of 4,500 import responses have been submitted by 135 parties for Annex III chemicals. The average rate of import response is 71 per cent for the 43 chemicals listed in Annex III to the Convention.

Table 3

Number of parties submitting import responses, number of parties submitting no response and average response rates in each PIC region (as at 31 October 2012)

<i>PIC region</i>	<i>Parties that have submitted one or more import response</i>	<i>Parties that have submitted no import responses</i>	<i>Average import response rate per region</i>
Africa	37	6	57 per cent
Asia	17	1	70 per cent
Europe	39	3	86 per cent
Latin America and the Caribbean	26	1	71 per cent
Near East	11	0	73 per cent
North America	1	0	100 per cent
Southwest Pacific	4	2	54 per cent

21. During the reporting period a total of 69 parties submitted 513 new or revised import responses for the chemicals listed in Annex III to the Convention. As at 31 October 2012, 13 parties⁸ had provided no import responses. Of those, two countries⁹ had become parties to the Convention within the reporting period. Parties having difficulties taking import decisions are encouraged to request assistance from the Secretariat. The Secretariat will continue to liaise with parties that have not submitted import responses.

22. The decision guidance documents for alachlor, aldicarb and endosulfan were circulated to all parties on 24 October 2011, together with a request for parties to submit to the Secretariat, by 24 July 2012, their responses regarding future imports of those chemicals. As at 31 October 2012, the Secretariat received a total of 62 import responses for alachlor, 62 import responses for aldicarb and 60 import responses for endosulfan, resulting in an average response rate of 42 per cent for alachlor and aldicarb and 40 per cent for endosulfan.

E. Obligations in relation to the export of chemicals

23. In decision RC-5/2, the Conference of the Parties requested the Secretariat to consider ways of meeting information needs on exports under paragraph 2 of Article 11 of the Convention, including to what extent the criteria in that paragraph have been applied as the basis for export and exports that have taken place after the expiration of the one-year period provided for that paragraph, and export notifications submitted pursuant to Article 12 of the Convention. This is addressed in document UNEP/FAO/RC/COP.6/5.

F. Information exchange provisions

24. Under paragraph 1 of Article 14 of the Convention, parties are required to facilitate the exchange of information concerning chemicals within the scope of the Convention, the provision of publicly available information on domestic regulatory actions relevant to the objectives of the Convention and the provision of information to other parties, directly or through the Secretariat, on domestic regulatory actions that substantially restrict one or more uses of a chemical, as appropriate.

25. In response to decisions RC-3/3 and RC-4/4 on information exchange on chemicals recommended by the Chemical Review Committee for listing in Annex III but for which the Conference of the Parties has yet to make a final decision, information submitted by Parties on chrysotile asbestos is made available in appendix VI of the PIC Circular.

26. Under paragraph 5 of Article 14 of the Convention, any party requiring information on transit movements through its territory of chemicals listed in Annex III to the Convention may inform the Secretariat, which is then to inform all parties accordingly. As at 31 October 2012, no party had informed the Secretariat that it required such information.

⁸ Botswana, Djibouti, Equatorial Guinea, Lesotho, Maldives, Marshall Islands, Montenegro, Namibia, Russian Federation, Saint Vincent and the Grenadines, Somalia, Tonga and Ukraine.

⁹ Montenegro and Russian Federation.

27. Information, such as on additional national evaluations submitted by Governments or other publicly available information on chemicals included in Annex III to the Convention, may be posted on the Convention website upon request to the Secretariat.
 28. Parties may wish to report to the Conference of the Parties at its sixth meeting on their experience with the direct provision of information from other parties.
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