

PART II
PRESENTATIONS

SESSION 1: OPENING

Presentation by the Secretariat

Slide 1

Organisation of the Workshop

**KEY OBJECTIVES
&
STRUCTURE**

Session 1

Slide 2

KEY OBJECTIVES

- 1 Encourage implementation of the interim PIC procedure and ratification of the Convention
- 2 Increase awareness of and benefits associated with the Rotterdam Convention
 - understanding of the inter-relationship with the Stockholm and Basel Conventions.

Slide 3

KEY OBJECTIVES

- 3 Provide practical training on the operation of the Convention
 - focus on country obligations
 - opportunity to fine tune/test forms and instructions

Session 1

Slide 4

KEY OBJECTIVES

- 4 Develop a better understanding of the needs and constraints of countries
 - encourage countries to identify possible solutions including improved co-operation at the national and sub-regional levels.

Session 1

Slide 5

STRUCTURE

11 SESSIONS

- **Sessions 1 – 3** Introduction and overview
- **Session 4** Identification of challenges –questions to consider
- **Sessions 5 – 9** Practical experience in operational elements

Session 1

Slide 6

STRUCTURE

- **Session 10** Identify key next steps – priorities for action
- **Session 11** Addressing challenges and questions

Session 1

Slide 7

STRUCTURE

- Breakout groups
 - work together for the week
 - rotate chair for each session
 - consolidated report to plenary
- Moderators
 - for each session
 - work with breakout group chairs
 - report to plenary

Session 1

Slide 8

STRUCTURE

PRACTICAL SESSIONS

Plenary:

- Presentations by secretariat and invited speakers
- Explanation of work of the breakout groups
- Review consolidated report of breakout groups

Session 1

Slide 9

STRUCTURE

PRACTICAL SESSIONS

Breakout Groups:

- Summary note of the issue
- Case study
- Guidance questions - facilitate reporting to plenary

Session 1

SESSION 2: INTRODUCTION TO THE ROTTERDAM CONVENTION

Presentation by the Secretariat

Slide 1

The Rotterdam Convention: A General Overview

Slide 2

General Overview

- Objective of the Convention
- Brief history and background
- Introduction to the Convention
- Arrangements for the Interim Period
- Present status

Slide 3

Objective of the Convention

- To protect human health and the environment from potential harm from certain hazardous chemicals.
- How:
 - Alerts about hazardous chemicals
 - Provides the basis for decisions regarding future imports
 - Helps to enforce those decisions.

Slide 4

History and Background

The voluntary Prior Informed Consent (PIC) Procedure

- | | |
|-------------------|---|
| 1985 | FAO Code of Conduct on the Distribution and Use of Pesticides (Amended 1989 and 2002) |
| 1987 | UNEP London Guidelines for the Exchange of Information on Chemicals in International Trade (Amended 1989) |
| 1989 -1998 | UNEP/FAO Joint Program on the PIC procedure |

Slide 5

History and Background

- The Negotiation Process
 - UNCED (RIO- 1992)
 - Mandate from the governing bodies of FAO (1994) and UNEP (1995)
 - Intergovernmental Negotiations (1996-1998)
 - Convention and its Final Act adopted (1998)

Slide 6

Overview of Articles

- 1-4: Objective, definitions, scope and DNAs
- 5-14: Procedures for inclusion and removing of chemicals in the PIC procedure and for export and import of chemicals
- 15-30: General obligations and common clauses

Slide 7

Scope of the Convention (Article 3)

Applies to:

- Chemicals banned or severely restricted to protect human health or the environment
- Severely hazardous pesticide formulations - causing problems under conditions of use in developing countries or countries with economies in transition

Slide 8

Chemicals presently in the Convention (Annex III)

27 Chemicals:

- 17 pesticides
- 5 severely hazardous pesticide formulations
- 5 industrial chemicals

Slide 9

Designated National Authorities (Article 4)

- Each Party shall designate one or more National Authorities, that shall be
 - authorized to act on its behalf in the performance of the administrative functions required by this convention
- The Party shall seek to ensure that the DNA has sufficient resources to perform its task efficiently

Slide 10

Operational Articles

- **Article 5:** Procedures for banned or severely restricted chemicals
- **Article 6:** Procedures for severely hazardous pesticide formulations
- **Article 7:** Listing of chemicals in Annex III
- **Article 8:** Chemicals in the voluntary PIC procedure
- **Article 9:** Removal of chemicals from Annex III

Slide 11

Operational Articles

- **Article 10:** Obligations in relation to imports
- **Article 11:** Obligations in relation to exports
- **Article 12:** Export notifications
- **Article 13:** Information to accompany exported chemicals
- **Article 14:** Information Exchange

Slide 12

General Obligations (Article 15)

- Strengthen national infrastructure to ensure effective implementation
- Ensure Public Access to information on:
 - Chemical handling,
 - Accident management;
 - Safer alternatives.
- Cooperate on regional and global level
- Right to take more stringent measures.

Slide 13

Technical Assistance (Article 16)

- Parties shall cooperate in promoting technical assistance for the development of the infrastructure and the capacity necessary to manage chemicals to enable implementation of the Convention;
- Parties with more advanced programs for regulating chemicals should provide technical assistance to other Parties in developing their infrastructure and capacity to manage chemicals.

Slide 14

Conference of the Parties (Article 18)

- Highest authority of the Convention
- Decides on inclusion of chemicals
- Shall establish the Chemical Review Committee and other subsidiary bodies
- Shall establish PIC Regions
- Reviews and evaluates the implementation of the Convention

Slide 15

Secretariat (Article 19)

- Arrange meetings of the CoP and its subsidiary bodies
- Facilitate assistance to Parties in implementing the Convention
- Ensure coordination with the secretariats of other international bodies
- Other functions specified in the Convention
- Performed jointly by UNEP and FAO

Slide 16

Other Provisions

- **Article 20:** Settlement of Disputes
- **Article 21:** Amendments to the Convention
- **Article 22:** Adoption and Amendment of Annexes

Slide 17

Arrangements for the Interim Period

- Adopted by the Conference of Plenipotentiaries
- Changes the voluntary PIC procedure to an interim PIC procedure in line with the provisions in the Convention
- Mandates INC to oversee the implementation of the interim PIC procedure and to prepare for the first meeting of the Conference of the Parties;

Slide 18

Arrangements for the Interim Period

- All chemicals in Annex III are subject to the interim PIC procedure
- All chemicals identified for inclusion under the voluntary PIC procedure will become subject to the interim PIC procedure as soon as the Decision Guidance Document (DGD) has been adopted by the INC

Slide 19

Arrangements for the Interim Period

- The INC will decide on the inclusion of new chemicals under the interim PIC procedure in accordance with the provisions of the Convention
- The INC will establish an interim CRC and define PIC regions on an interim basis
- Establishes an interim Secretariat performed jointly by UNEP and FAO

Slide 20

Present status

- 47 Parties to the Convention (50 needed for entry into force)
- Seven interim PIC regions defined by INC 6
- Interim Chemical Review Committee established by INC 6, 29 members, mandate extended by INC 9
- Five chemicals added to the interim PIC procedure
- 168 States - nominated 256 Designated National Authorities
- INC-10 scheduled for 17-21 November (Geneva)

SESSION 2: INTRODUCTION TO THE ROTTERDAM CONVENTION

Presentation by the Secretariat

Slide 1

Rotterdam Convention

KEY ELEMENTS

Slide 2

Key Elements

SUMMARY

- Objective of the Rotterdam Convention
- What chemicals are included and why
- Key Provisions
 - Prior Informed Consent procedure
 - Information Exchange

Slide 3

Key Elements

SUMMARY (cont'd)

- Key Players - who is involved
- Key Documents - what they are
- Operation of the Prior Informed Consent (PIC) Procedure
- Benefits

Slide 4

Rotterdam Convention

OBJECTIVE

- To *promote shared responsibility* and cooperative efforts among Parties in the international trade of certain hazardous chemicals in order to *protect human health* and the *environment* from potential harm and to contribute to their environmentally sound use

Slide 5

Rotterdam Convention

How ?

- by facilitating information exchange on potentially hazardous chemicals and their characteristics
- by providing for a national decision-making process on their import and export and production
- by obliging exporting countries to respect the decisions of importing countries

Slide 6

Rotterdam Convention

What it achieves

- Provides an early warning system on hazardous chemicals
- Enables the world to monitor and control the trade in certain hazardous chemicals

Slide 7

Rotterdam Convention

What it achieves

- Gives countries the power to decide which of these chemicals they want to import and to exclude those they cannot manage safely
- Where trade does take place, requirements for labeling and provision of information on potential health and environmental effects will promote the safe use of these chemicals

Slide 8

Rotterdam Convention

What chemicals are included

32 Chemicals

- 27 in Annex III
- 5 added during the interim period (1998)

Slide 9

Rotterdam Convention

What chemicals are included:

Banned or Severely Restricted Chemicals

- chemicals banned or severely restricted due to risk to human health or the environment (*22 pesticides - 5 industrial chemicals*)
- *builds on the regulatory actions of countries with well developed regulatory infrastructure*

Slide 10

Rotterdam Convention

What chemicals are included

Severely Hazardous Pesticide Formulations

- formulations that present a hazard under conditions of use in developing countries and countries with economies in transition (*5 formulations*)
- *recognizes the unique situation in these countries and that some formulations that are not banned or severely restricted cannot be used safely under the prevailing conditions of use*

Slide 11

How it will work - Key Elements

- **Prior Informed Consent (PIC) Procedure**
 - mechanism for formally obtaining and sharing the decisions of countries regarding future imports of chemicals subject to the Convention
- **Information Exchange**
 - provisions that facilitate information sharing on a broad range of potentially hazardous chemicals moving in international trade

Slide 12

How it will work - Key Elements

Prior Informed Consent (PIC) Procedure

- countries learn about potentially hazardous chemicals that may be shipped to them
- initiates a national decision making process on the future import of these chemicals
- facilitates the sharing of these decisions with other countries
- participating countries are obliged to respect these import decisions

Slide 13

How it will work - Key Elements

Information Exchange:

- chemicals that are banned or severely restricted
- pesticide formulations causing problems under the conditions of use
- export notifications
 - for chemicals banned or severely restricted in the exporting country

Slide 14

How it will work - Key Players

- Designated National Authorities (DNAs)
- Conference of the Parties/Intergovernmental Negotiating Committee
- Chemical Review Committee
- Secretariat

Slide 15

How it will work - Key Documents

- Decision Guidance Documents (DGDs)
- PIC Circular

Slide 16

Key Documents

Decision Guidance Documents (DGDs)

- available for each chemical subject to the PIC procedure
- summarises why a chemical is included
- identifies additional sources of information
- assists DNAs in making informed decisions on future imports of the chemical

Slide 17

Key Documents

PIC Circular

- Issued every six months, December and June
- Lists all import decisions and failures to respond
- Information on banned or severely restricted chemicals and severely hazardous pesticide formulations
- Current list of DNAs

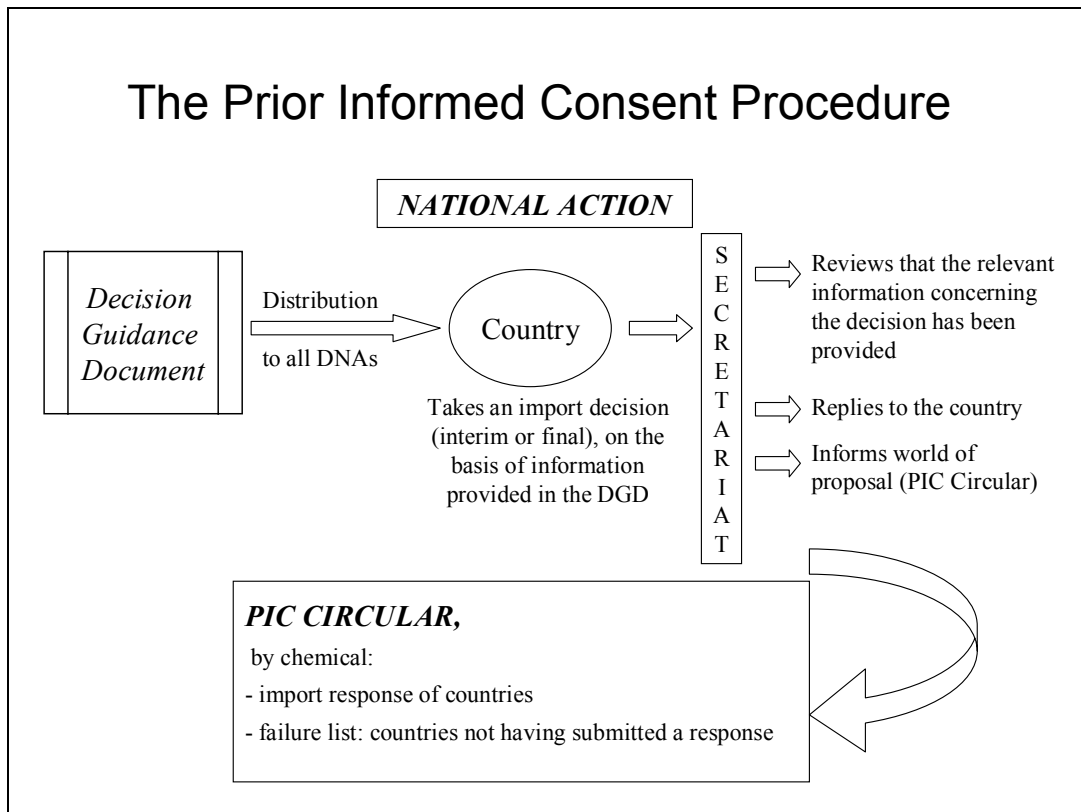
Slide 18

How it fits together

Operation of the PIC Procedure

- DGD is circulated to all participating countries with a request that they decide whether to accept future imports of the chemical
- Import decisions are circulated to all participating countries through the PIC Circular
- Exporting countries are to respect these decisions

Slide 19



Slide 20

Benefits of the Rotterdam Convention

- Ability to control unwanted imports of chemicals subject to the Convention
- Notifications of exports of chemicals banned or severely restricted in the exporting Parties
- Information summaries of control actions to ban or severely restrict chemicals, in other Parties

Slide 21

Benefits of the Rotterdam Convention

- Information on incidents involving severely hazardous pesticide formulations, in other Parties
- A network of DNAs in the region
- Access to DNAs in other regions with similar conditions

SESSION 2: INTRODUCTION TO THE ROTTERDAM CONVENTION

Presentation by the Secretariat

Slide 1

The Rotterdam Convention:
What has been accomplished

Session 2 1

Slide 2

What has been accomplished

- Overview of progress since September 1998
 - what has been achieved
- Activities under way and planned

Session 2 2

Slide 3

Designated National Authorities (DNA)

As of July 2003:

- 256 designated national authorities from 168 countries

Session 2 3

Slide 4

PIC regions

Interim PIC regions (7)

- Africa, Asia, Europe, Near East, North America, Southwest Pacific, Latin America and the Caribbean
- Established at INC-6

Session 2 4

Slide 5

Interim Chemical Review Committee

- elected Chairman and Bureau
- three sessions convened (1/year)
- reconstituted at INC-9
- details to be provided by ICRC Chair

Session 2 5

Slide 6

Meetings of the Intergovernmental Negotiating Committee (INC):

- INC-6: 12-16 July 1999, Rome
- INC-7: 30/10 - 3/11/2000, Geneva
- INC-8: 8-12 October 2001, Rome
- INC-9: 30 Sept/4 October 2002, Bonn

Session 2 9

Slide 7

Tasks of the Intergovernmental Negotiating Committee

- Oversee implementation of the interim PIC procedure
- Prepare for the first Conference of Parties (COP1)
 - such as procedures for non-compliance, settlement of disputes, financial rules.

Session 2 10

Slide 8

Progress in Ratification of the Rotterdam Convention

January 2003:

40 Parties to the Rotterdam Convention

Session 2 11 X

Slide 9

Outreach to countries

- PIC Regional Workshops
 - Bangkok (Dec.99), Nairobi (Jun. 2000), Cartagena (Oct.2000), Jamaica (April 2002), Senegal (June 2002), Iran (October 2002), Ukraine (November 2002), Namibia (February 2003)
- Sub-regional workshops in co-operation with Basel and Stockholm Conventions
 - Malaysia, Namibia, Australia

Session 2 12

Slide 10

Outreach to countries

- Shift focus to practical training – based on feedback from DNAs
- Mechanism for input on what is working well, what could be improved
 - Feedback specifically from each workshop

Session 2 13

Slide 11

Activities under way and planned

- Training workshops:
 - Panama October 2003, Asia first half of 2004
- INC-10: 17-21 November 2003
 - decision on inclusion of DNOC, Granox-Spinox and five new forms of Asbestos
- ICRC-5: February 2004
 - Finalise DGD on parathion, tetraethyl lead, tetramethyl lead

Session 2 11

Slide 12

Activities under way and planned

- Planned/underway:
 - guidance for DNAs
 - Access to database on the web
 - Countries can get up to date information on DNA address and import decisions between PIC Circulars
 - Clearing house facility on the website
 - Allows information submitted by countries on chemicals included in the Rotterdam Convention to be available for other countries

Session 2 12

Slide 13

Activities under way and planned

- Technical Assistance Strategy
 - For discussion at INC 10
- Preparation of material to assist Parties meet their Convention obligations following entry into force

Session 2 13

Slide 14

Activities under way and planned

- Completed:
 - revision of Convention website (ongoing)
 - suggestions for improvements are always appreciated!
 - website now available in 3 languages
 - distribution of SHPF report form/instructions
 - distribution of Environmental Incident Report form/instructions
 - information brochure

Session 2 14

SESSION 2: INTRODUCTION TO THE ROTTERDAM CONVENTION

Presentation by R. Arndt, Chair of the ICRC

Slide 1

ROTTERDAM CONVENTION

Overview of the work of the
Interim Chemical Review
Committee

REINER ARNDT, GERMANY
Chair, Interim Chemical Review
Committee

Samoa, 22. - 26.09.2003

Slide 2

Terms of reference of the ICRC

- Basis: decision INC - 6/2 of the INC6
- 29 Government designated experts from 7 PIC regions
- SW Pacific: Mr. Mayne (Australia), Mr. Matalavea (Samoa), Asia: 5 experts
- Meetings 2000, 2001, 2002 then mandate extended by INC9, meetings 2003, 2004?
- Conflict of interest procedure INC7

Slide 3

Task of the ICRC

- To make recommendations on the inclusion of banned and severely restricted chemicals
- To make recommendations for the inclusion of severely hazardous pesticide formulations
- And to prepare the relevant draft decision guidance documents.

Slide 4

Operational procedures of the ICRC

- Process for drafting DGDs (INC 7)
- Format and working paper to prepare DGDs
- Health, Environment incident report form (shpf)
- Common and recognized pattern of use (shpf)
- Determination of ongoing trade
- Co-operation DNA and ICRC through regional workshops

Slide 5

Policy decisions of the ICRC

- Contaminants (unavoidable, avoidable)
- Identification of chemicals (new, Annex III)
- Use of other countries notifications for national safe management of chemicals and notifications
- - compatibility of current regulatory practices with notification requirements
- -prioritization of work on old notifications

Slide 6

Chemicals addressed by the ICRC

- Ethylene dichloride, Ethylene oxide
- Maleic hydrazide (contaminants)
- Monocrotophos, DNOC, *Parathion*, dustable powder of Granox/Spinax (shpf)
- all forms of asbestos, *TEL and TML*
- rejected: *bromacil, Dinoterb, Tributyl tin compounds*

Slide 7

Co-operation DNA and the ICRC

- Regional workshops (feed back on work of ICRC)
- notifications according to article 5, 6
- Utilization of the DGDs (what does it deliver)
Basis for national risk evaluation/assessment, risk management options and decisions
- Import decision (yes, no, yes but ...)

Slide 8

PRIORITIES for Safe Chemicals Management

- Banned, restricted Chemicals 100 +
(POP, Montreal, PIC) chemical specific action
- hazardous chemicals (list?) 1000 +
(GHS, ILO 170) hazard/risk specific prevention/protection strategies
- All chemicals (inventory?) 10000+
general pollution prevention/protection strategies

SESSION 2: INTRODUCTION TO THE ROTTERDAM CONVENTION

Presentation by the Secretariat

Slide 1

The Stockholm,
Basel and Waigani
Conventions

A General Overview

Slide 2

Purpose of the presentation

- Provide a brief overview of the Stockholm, Basel and Waigani Conventions
- Highlight key aspects of each
- Provide initial framework for considerations of synergy with the Rotterdam Convention

Slide 3

General Overview

- Objective of the Conventions
- Coverage
- Key elements
- Present status

Slide 4

Objectives of the Stockholm Convention

- To protect human health and the environment from persistent organic pollutants (POPs)
- Aims:
 - Reduce or eliminate releases of POPs, starting with the 12 worst
 - Support the transition to safer alternatives
 - Target additional POPs for action
 - Clean-up stockpiles and equipment containing POPs

Slide 5

Coverage

- Currently includes 12 chemicals
 - Pesticides
 - aldrin, chlordane, DDT, dieldrin, endrin, heptachlor, mirex, toxaphene, hexachlorobenzene
 - Industrial Chemicals
 - hexachlorobenzene, PCBs
 - Unintended byproducts
 - chlorinated dioxins, chlorinated furans

Slide 6

Key elements

- Reduce or eliminate releases of POPs
- Transition to safer alternatives
- Addition of new POPs to convention
- Stockpiles and waste
- Technical assistance and financial mechanism
- National implementation plans
- Supporting provisions

Slide 7

Eliminate POPs and transition to safer alternatives

- DDT is permitted for disease vector control until locally safe, effective and affordable alternatives are available.
- PCBs – governments allowed until 2025 to phase out 'in-place' equipment, manage PCB wastes by 2028
- Other intentionally produced POPs - Country specific exemptions (currently mainly pesticides)
- Byproducts – Apply best available techniques and best environmental practices (BAT/BEP) to reduce or eliminate releases of byproducts (dioxins, furans, HCB, PCBs)

Slide 8

Criteria for new POPs

- There is a provision to new chemicals on the basis of:
 - Persistence
 - Bio-accumulation
 - Potential for long-range environmental transport
 - Toxicity

Slide 9

Identification of new POPs

- Nominations from Parties
- Candidate POPs will be reviewed by a POPs Review Committee
- If the criteria are satisfied, information is gathered to prepare a risk profile
- COP decides on addition
- Lack of full scientific certainty shall not prevent a proposal for global action on a chemical proceeding

Slide 10

Stockpiles and wastes

- Governments must identify stockpiles, products and articles in use or wastes containing POPs
- Stockpiles are to be managed in safe, efficient and environmentally friendly manner
- Wastes must
 - Be handled, collected, transported and stored in an environmentally sound manner,
 - Be disposed of in a way that destroys or irreversibly transforms the POPs content
 - Not be subjected to disposal operations that may lead to recovery, recycling, reclamation, direct reuse or alternative uses of POPs
- Basel to develop guidelines

Slide 11

Financial mechanism

- The convention has provisions for technical assistance, technology transfer and regional centres
- The convention has a financial mechanism – to be determined by the COP
- The GEF is the principal entity of the interim financial mechanism
 - Projects being funded, especially enabling activities (national implementation plans)

Slide 12

National Implementation Plans

- Must be developed within 2 years of entry into force.
- Must be updated (frequency and manner to be determined).
- For GEF-eligible signatories or Parties to the convention, financial assistance is available.
- Underway in about 100 countries.
- Might extend to all areas of Stockholm, Rotterdam, Basel and Waigani conventions necessary to deal with POPs.

Slide 13

Status of Stockholm Convention

- Currently 37 ratifications, 50 needed for entry into force
- POPs INC-7 held in July 2003
- COP-1 tentatively planned for 1st half of 2005 in Punta del Este Uruguay
- Work is in progress in countries to develop National Implementation Plans; other projects being funded on a pilot or demonstration basis.
- Website **www.pops.int**

Slide 14

Objectives of the Basel Convention

- Reduce transboundary movement of hazardous wastes to a minimum consistent with their environmentally sound management
- Dispose of hazardous wastes as close as possible to their source of generation
- Minimize generation of hazardous wastes in terms of quantity and degree of hazard.

Slide 15

Coverage

- Hazardous wastes (specified in Convention Annex I)
 - Explosive
 - Flammable
 - Poisonous
 - Infectious
 - Corrosive
 - Toxic
 - Ecotoxic

Slide 16

Key Elements

- Control on transboundary movement
- Environmentally sound management
- Capacity and partnership building

Slide 17

Control system

- A procedure for the notification of transboundary movements of hazardous wastes or other wastes, based upon the prior written consent procedure
- Each shipment needs a movement document from the point of transboundary movement to the point of disposal.
- Rotterdam Convention may help if wastes are 'hidden' as chemical shipments

Slide 18

Other restrictions

- Transboundary movement only among parties
- Export is prohibited if
 - The state of import has an import ban, OR
 - The state of import has not given its consent to the import.

Slide 19

Other elements

- Environmentally sound management and minimization of wastes
- Capacity building
- Partnership building
- Greater efficiency through economic incentives
- Enhanced collaboration

Slide 20

Status of the Basel Convention

- The Basel Convention entered into force in 1992
- Subsequent amendments to the Convention have not yet entered into force:
 - Ban amendment (1995)
 - Liability and compensation protocol (1999)

Slide 21

Supporting tools for implementation

- Manual and guidelines
 - Model legislation on control and management of hazardous wastes
 - Implementation manual
 - Instruction manual on the control system
 - Technical Guidelines
- The Basel Convention Regional Centres
- Website www.basel.int

Slide 22

Objectives of the Waigani Convention

- Reduce or eliminate transboundary movements of hazardous and radioactive wastes into and within the Pacific Forum region
- Minimize the production of hazardous and toxic wastes in the Pacific Forum region
- Ensure that disposal of wastes is done in an environmentally sound manner and as close to the source as possible
- Assist Pacific Forum developing countries

Slide 23

Benefits of the Waigani Convention

- Protective mechanism to stop waste dumping in the South Pacific
- Prevent waste shipping that may damage the health and environments of the countries
- Creates a mechanism to facilitate clean ups of hazardous and radioactive wastes

Slide 24

Procedural requirements

- Export notification
- Written consent or disapproval for import applications
- Movement documentation
- Accident notification
- Information on the sound management of wastes.

Slide 25

Other information

- Adopted in 1995 (PNG)
- COP-1 held in July 2002 (Marshall Islands)
- SPREP is secretariat of the convention
- Website **www.sprep.org.ws**

SESSION 2: INTRODUCTION TO THE ROTTERDAM CONVENTION

Presentation by the Secretariat

Slide 1

The Rotterdam Convention:
Overview of Signature and
Ratification

Session 2 1

Slide 2

Overview of Signature and
Ratification

- What is a Convention/Treaty
- Negotiations/Adoption
- Signature Period
- Ratification, acceptance, approval
- Accession
- National Steps to become a Party
- Financial Considerations
- Regional Status

Session 2 2

Slide 3

What is a Convention/Treaty

- A Convention/Treaty is an agreement between States in written form, governed by international law
- It creates rights and obligations under international law
- Binding FOR States – not IN States

Session 2 3

Slide 4

Negotiations/Adoption

- The Rotterdam Convention was negotiated by an Intergovernmental Negotiating Committee (5 sessions 1996-1998)
- The Rotterdam Convention was adopted by a Conference of Plenipotentiaries in September 1998
- Adoption is the act by which the negotiating parties establish the form and content of a Convention/Treaty

Session 2 4

Slide 5

Signature

- The signature is normally subject to ratification, acceptance or approval.
- A State that signs a treaty is obliged to refrain, in good faith, from acts that would defeat the object and purpose of the treaty
- Rotterdam Convention was open for signature from 11 September 1998 to 10 September 1999 and has 73 Signatories.

Session 2 5

Slide 6

Ratification, acceptance,
approval

- Ratification, acceptance and approval all refer to the act, whereby a State establishes its consent to be bound by a treaty
- Ratification, acceptance and approval all require two steps:
 - The execution of an instrument of ratification, acceptance or approval by the Head of State, Head of Government or Minister for Foreign Affairs, expressing the intent of the State to be bound by the Convention, and
 - The deposit of the instrument with the depositary (UN Secretary General)

Session 2 6

Slide 7

Accession

- Accession is the act whereby a State that has not signed a treaty expresses its consent to become a party to that treaty by depositing an "instrument of accession"
- Accession has the same legal effect as ratification, acceptance or approval
- Accession is generally employed by States wishing to express their consent to be bound by a treaty where the deadline for signature has passed

Session 2 7

Slide 8

National Steps to become a Party

Governed by national regulations and practices, but a possible approach could be to:

- Create an Implementation Committee
 - Involve all stakeholders – Government, Industry, NGOs
- Prepare Implementation Strategy
 - Review Convention requirements
 - Review National legislation – identify possible revisions
- Become Party to the Convention
- Implement the Convention

Session 2 8

Slide 9

Financial considerations

- Convention
 - COP1 adopts Financial Rules and Budget for the first biennium
 - Scale of Assessment
- National Considerations
 - Implementation costs
 - Benefits
 - + Prevents adverse effects to human health the environment caused by hazardous chemicals and pesticides
 - + Prevents creation of stockpiles

Session 2 9

Slide 10

UN Scale of Assessment

- Prepared by the Committee on Contributions and adopted by the General Assembly
 - Based on the 'capacity to pay' principle:
 - Per capita income
 - Debt Burden
- Ceiling and Floor

Slide 11

Convention Scale of Assessment

- COP agree on the general principles
- COP adopt scales and budget
- Main Factors:
 - Adjusted to number of Parties
 - Agree to Floor and Ceiling
 - New Parties

Slide 12

Example (Based on UN 2003 scale)

	2003 Scale	First Year Budget
Australia	1.62700	56,945
Fiji	0.00400	140
Kiribati	0.00100	35
Marshall Islands	0.00100	35
New Zealand	0.24100	8,435
Samoa	0.00100	35
Solomon Islands	0.00100	35
Tonga	0.00100	35
Vanuatu	0.00100	35

Slide 13

Regional Status

Countries in PIC region **Southwest Pacific:**
 Australia, Cook Islands, Fiji, Kiribati, Marshall Islands, Micronesia (Federated States of), Nauru, New Zealand, Niue, Palau, Papua, New Guinea, Samoa, Solomon Islands, Tonga, Tuvalu, Vanuatu.

Slide 14

Regional Status

Parties in PIC region **Southwest Pacific:**

Marshall Islands
Samoa

SESSION 2: INTRODUCTION TO THE ROTTERDAM CONVENTION

Presentation by Fetoloai Alama

Slide 1

**SAMOA'S RATIFICATION AND
ACCESSION PROCESS FOR
MULTILATERAL ENVIRONMENT
AGREEMENTS**

Focusing on Samoa's signatory status
to the Rotterdam Convention and other
related MEA's.

Slide 2

Presentation Outline

- Background
- Samoa's Status on Ratification and Accession to the four Conventions.
- The INC Nine accession / ratification process.
- Samoa's current accession and ratification process.
 - support from other relevant agencies
 - preparation of a cabinet submission
- Conclusion

Slide 3

- **April 2001:** "Sub-regional workshop on – PIC Procedure, – POPs, and the – Basel and Waigani Conventions", Aus.
- Samoa's intention to accede to all four Conventions was made known.
- **End of 2002:** All four Conventions had been acceded to.

Slide 4

**STATUS OF RATIFICATION AND
ACCESSION :**

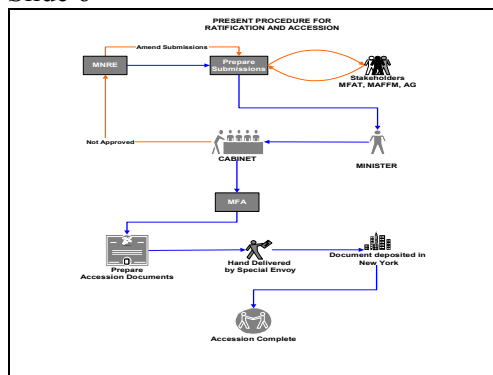
The Rotterdam Convention	Acceded 2002	Ministry of Natural Resources and Environment/ Ministry of Agriculture
The Basel Convention	Acceded 2002	Ministry of Natural Resources and Environment
The Stockholm Convention	Acceded 2001	Ministry of Natural Resources and Environment
The Waigani Convention	Acceded 2001	Ministry of Natural Resources and Environment

Slide 5

**THE I.N.C. PROCESS ON
RATIFICATION**

- **Step 1** - prepare, analyse and collect documentation
- **Step 2** - contact authority for issuing ratification instruments and identify who would sign.
- **Step 3** - identify and undertake processes that lead to endorsement of ratification / accession.
- **Step 4** - determine if any declarations are needed.
- **Step 5** - prepare and sign instruments
- **Step 6** - lodge instruments with the depository

Slide 6



Slide 7

Cabinet Submission

- A Brief overview of the Convention
- Objectives and principles of the Convention
- Obligations of parties / signatories under the Convention
- Implications on Samoa
 - legislation
 - financial
 - representations at meetings
 - international / regional projects involved
 - national projects
- Relevance to Samoa
- Entry into Force
- Summary
- Recommendations
- Attachments: Supporting documents from related agencies.
 - The Instrument of Ratification to be attached.

SESSION 2: INTRODUCTION TO THE ROTTERDAM CONVENTION SUMMARY OF THE KEY PROVISIONS OF THE ROTTERDAM CONVENTION

Presentation by the Secretariat

The objective of the Rotterdam Convention is to promote a shared responsibility between importing and exporting countries in protecting human health and the environment from the harmful effects of hazardous chemicals.

It enables the world to monitor and control the trade in certain hazardous chemicals. It gives importing countries the power to decide which of these chemicals they want to receive and to exclude those they cannot manage safely. If trade does take place, requirements for labelling and provision of information on potential health and environmental effects will promote the safe use of these chemicals.

The Convention covers pesticides and industrial chemicals that have been banned or severely restricted for health or environmental reasons by participating Parties. Severely hazardous pesticide formulations that present a hazard under the conditions of use in developing country Parties or Parties with economies in transition may also be included.

The Rotterdam Convention was adopted at the Conference of Plenipotentiaries in Rotterdam on 10 September 1998 and will enter into force 90 days after the deposition of 50 instruments of ratification, acceptance, approval or accession. As of August 2003, 46 states had ratified, adopted, approved or acceded to the Convention. The interim Prior Informed Consent (PIC) Procedure will operate until the Convention enters into force.

Countries participating in the interim PIC procedure must designate one or more national authorities (DNAs) to act on its behalf in the performance of the administrative functions required by the Convention.

As of July 2003, 32 chemicals were subject to the interim PIC Procedure:

Pesticides: 2,4,5-T, aldrin, binapacryl, captafol, chlorobenzilate, chlordane, chlordimeform, DDT, dieldrin, dinoseb, 1,2-dibromoethane (EDB), ethylene oxide, ethylene dichloride, fluoroacetamide, HCH, heptachlor, hexachlorobenzene, lindane, mercury compounds, pentachlorophenol, toxaphene and certain formulations of metamidophos, methyl-parathion, monocrotophos, parathion and phosphamidon.

Industrial chemicals: crocidolite, polybrominated biphenyls (PBB), polychlorinated biphenyls (PCB), polychlorinated terphenyls (PCT), tris(2,3 dibromopropyl)phosphate.

The Convention includes a process for adding further chemicals. Four chemicals have been added to the interim PIC Procedure since September 1998. The inclusion of monocrotophos as a pesticide was decided at the Ninth Session of the INC in October 2002.

The Convention contains provisions for:

The *Prior Informed Consent (PIC) procedure*, a mechanism for formally obtaining and disseminating the decisions of importing countries as to whether they wish to receive future shipments of those chemicals specifically subject to the Convention and for ensuring compliance with these decisions by exporting countries.

The *exchange of information* among Parties about potentially hazardous chemicals that may be exported and imported and provides for a *national decision-making process* regarding import and compliance by exporters with these decisions. The provisions regarding information exchange include:

- the requirement for a Party to inform other Parties of each ban or severe restriction on a chemical it implements nationally;
- the possibility for a developing country Party or a Party with an economy in transition to inform other Parties that it is experiencing problems caused by a severely hazardous pesticide formulation under conditions of use in its territory;
- the requirement for a Party that plans to export a chemical that is banned or severely restricted for use within its territory, to inform the importing Party that such export will take place, before the first shipment and annually thereafter;
- the requirement that an exporting Party, when exporting chemicals that are to be used for occupational purposes, shall ensure that a safety data sheet that follows an internationally recognised format, setting out the most up-to-date information available, is sent to the importer; and
- the requirement that exports of chemicals included in the PIC procedure and other chemicals that are banned or severely restricted domestically, when exported, are subject to labelling requirements that ensure adequate availability of information with regard to risks and/or hazards to human health or the environment.

Operation of the PIC Procedure:

For each chemical subject to the PIC procedure a decision guidance document (DGD) is developed and circulated to DNAs. The DGD is intended to help governments assess the risks connected with the handling and use of the chemical and make more informed decisions about future import and use of the chemical, taking into account local conditions of use.

For each chemical subject to the PIC procedure the DNA is requested to decide whether to accept import, refuse import or allow import under certain conditions and to inform the Secretariat of their decision. A listing of the import responses given for each chemical subject to the PIC procedure is circulated to all DNA every six months in the PIC Circular.

Import decisions taken by Parties must be trade neutral; that is, if the Party decides it does not consent to accepting imports of a specific chemical, it must also stop domestic production of the chemical for domestic use or imports from any non-party.

A chemical subject to the PIC procedure should not be exported without the consent of the importing Party. In the absence of an import response the export may proceed if there have been previous shipments to that Party or if the chemical is approved in that Party and the regulatory situation has not changed. Exporting Parties should ensure that import responses published in the PIC Circular are immediately communicated to their exporters, industry and any other relevant authorities, such as the Department of Customs. Exporting Parties are also obliged to take appropriate measures, within their authority and legislative competence, to ensure that exports do not occur contrary to the decision of each importing Party.

The Convention provides for technical assistance between Parties. Parties shall, cooperate in promoting technical assistance for the development of the infrastructure and the capacity necessary to manage chemicals to enable implementation of the Convention. Parties with more advanced programmes for regulating chemicals should provide technical assistance, including training to other Parties in developing their infrastructure and capacity to manage chemicals throughout their life-cycle.

The benefits of ratifying, adopting, or acceding to the Rotterdam Convention include:

- ability to control unwanted imports of chemicals subject to the Convention
- export notifications of chemicals banned or severely restricted in the exporting Parties
- information summaries of control actions to ban or severely restrict chemicals, in other Parties
- information on incidents involving severely hazardous pesticide formulations, in other Parties

- a network of DNAs in Southwest Pacific
- access to DNAs in other PIC Regions with similar conditions

UNEP and FAO will serve as Secretariat for the interim period, in order to support the implementation of the interim PIC procedure and prepare for the entry into force of the Convention. UNEP and FAO have also been assigned the responsibility for Secretariat of the Convention.

SESSION 3: OVERVIEW OF THE ROTTERDAM CONVENTION

Introduction by the Secretariat

Slide 1

**OVERVIEW OF THE
ROTTERDAM CONVENTION**

**OPERATION OF THE INTERIM PRIOR INFORMED
CONSENT (PIC) PROCEDURE**

Slide 2

**OPERATION OF THE INTERIM PIC
PROCEDURE**

- 1. Scope of the Convention**
 - what chemicals are included
- 2. Key players**
 - who they are and what they do
- 3. Adding chemicals**
 - banned and severely restricted chemicals
 - severely hazardous pesticide formulations

Slide 3

**OPERATION OF THE INTERIM PIC
PROCEDURE**

- 4. The Prior Informed Consent procedure**
 - how it operates
 - decision guidance documents (DGDs)
 - import decisions

Importing and exporting country responsibilities

- export notification

- 5. Information exchange**

Slide 4

**OPERATION OF THE INTERIM
PIC PROCEDURE**

- 1. SCOPE OF THE CONVENTION**

Applies to:

- Pesticides and industrial chemicals, banned or severely restricted for health or environmental reasons by participating Parties
- Severely hazardous pesticide formulations that present a hazard under the conditions of use in developing country Parties or Parties with economies in transition

Slide 5

SCOPE OF THE CONVENTION

Does not apply to:

- narcotic drugs and psychotropic substances,
- radioactive materials,
- wastes,
- chemical weapons,
- pharmaceuticals,
- chemicals used as food additives
- food
- chemicals in small quantities for research or analysis purposes

Slide 6

WHAT CHEMICALS ARE INCLUDED

Chemicals subject to the Interim PIC Procedure

- 22 pesticides
- 5 severely hazardous formulations and
- 5 industrial chemicals

• since September 1998 5 pesticides have been added

Slide 7

**OPERATION OF THE INTERIM
PIC PROCEDURE**

2. KEY PLAYERS

1. Designated National Authorities (DNAs)
2. Conference of the Parties (COP)
3. Chemical Review Committee (CRC)
4. Secretariat

Slide 8

**KEY PLAYERS
DESIGNATED NATIONAL
AUTHORITIES (DNAs)**

Responsible for the *administrative functions* required by the Convention

- Notifications of Control Actions
- Proposals for SHPF
- Import responses
- Export of Chemicals
- Export Notifications
- Information Exchange

Slide 9

**KEY PLAYERS
DESIGNATED NATIONAL
AUTHORITIES (DNAs)**

- Principal contact for the operation of the PIC procedure
- Generally a governing department or office responsible for broad policy decisions with the authority to decide which chemicals are used in the country

Slide 10

**KEY PLAYERS
DESIGNATED NATIONAL
AUTHORITIES (DNAs)**

Pesticides or chemicals or one for both

- July 2003, 256 DNAs from 168 states

Slide 11

Designated National Authorities

Countries	One DNA for Industrial Chemicals and one DNA for Pesticides	One DNA for Pesticides	No DNA	One DNA for both Industrial Chemicals and Pesticides
Australia	Blue			
Cook Islands	Blue			
New Zealand	Blue			
Samoa	Blue			
Solomon Islands	Blue			
Tuvalu	Blue			
Papua New Guinea	Blue			
Fiji		Brown		
Marshall Islands			Green	
Micronesia			Green	
Nauru			Green	
Dominica				Green
Tonga				Pink
Turkmenistan				Pink
Vanuatu				Pink

Slide 12

KEY PLAYERS

CONFERENCE OF PARTIES (COP)

- Highest authority of the Convention
- Countries that have become Parties oversee implementation
 - interim procedure – Intergovernmental Negotiating Committee (INC)
 - just over 100 countries now participate
- Decides on the inclusion of chemicals, establishes subsidiary bodies, defines PIC regions etc.,

Slide 13

KEY PLAYERS

CHEMICAL REVIEW COMMITTEE (CRC)

- Expert Committee
- Review notifications and proposals from Parties
- Make recommendations to the INC/COP on chemicals to be added to the Convention
- 29 members from 7 interim PIC Regions
 - Africa, Asia, Europe, Near East, Latin America,
 - North America, Southwest Pacific
- Interim procedure - interim Chemical Review Committee (iCRC)

Slide 14

**CHEMICAL REVIEW COMMITTEE
(CRC)**

South West Pacific

- Australia Mr. André Mayne
- Samoa Mr. Siaoisi Matalavea

Slide 15

KEY PLAYERS

SECRETARIAT

- Provided by UNEP and FAO jointly
- Service Parties, e.g., convene COP/INC and CRC/CRC meetings
- Facilitate some aspects of procedures
 - Collect and review notifications
 - Maintain registers e.g. DNA lists
 - Communicate to Parties

Slide 16

KEY PLAYERS

SECRETARIAT

- Assist Parties in the implementation of the Convention
- Coordinate with other secretariats
- Other functions as specified in the Convention

Slide 17

OPERATION OF THE INTERIM PIC PROCEDURE

3. ADDING CHEMICALS TO THE CONVENTION

Different procedures for:

- **Banned or severely restricted chemicals**
 - notification of regulatory action form
- **Severely hazardous pesticide formulations**
 - SHPF incident report form

Slide 18

ADDING CHEMICALS TO THE CONVENTION

Banned or severely restricted chemicals

- Each Party notifies the Secretariat when it has taken a final regulatory action to ban or severely restrict a chemical
- Secretariat verifies that the notification contains information required in Annex I
- Prepares summary for inclusion in the PIC Circular

Slide 19

ADDING CHEMICALS TO THE CONVENTION

Banned or severely restricted chemicals

- When the Secretariat has received two notifications from two different PIC regions that contains the information required in Annex I it forwards them to the Chemical Review Committee

Slide 20

ADDING CHEMICALS TO THE CONVENTION

Banned or severely restricted chemicals

- The Chemical Review Committee (CRC) reviews the information provided in the notifications and the supporting documentation in accordance with the criteria in Annex II

Slide 21

ADDING CHEMICALS TO THE CONVENTION

Banned and severely restricted chemicals

When reviewing notifications, the CRC shall:

- Confirm that the regulatory action has been taken in order to protect human health and the environment
- Establish that the regulation has been taken as a consequence of a risk evaluation
- Consider whether the regulatory action provides a sufficiently broad basis to merit inclusion of the chemical

Slide 22

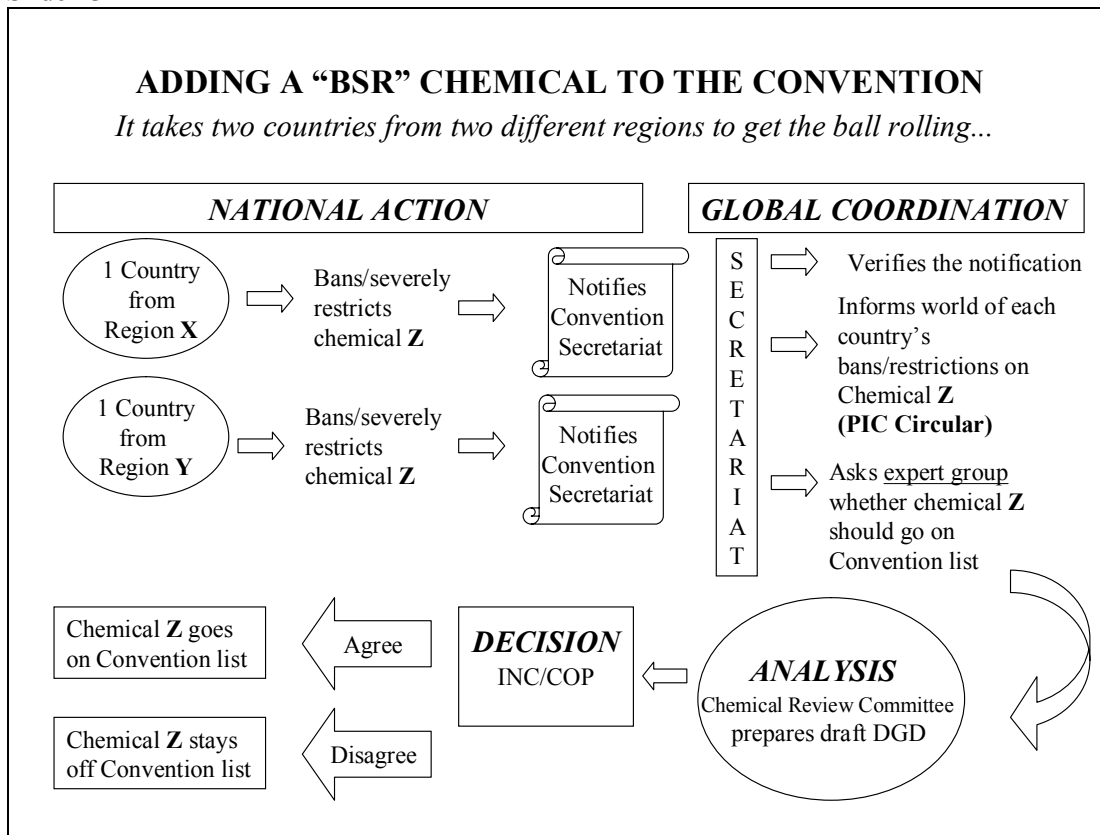
ADDING CHEMICALS TO THE CONVENTION

Banned and severely restricted chemicals

The Chemical Review Committee:

- recommends to the Conference of the Parties (COP) whether to include the chemical in Annex III
- drafts a Decision Guidance Document (DGD)

The COP decides whether to include the chemical in Annex III and approve the draft DGD



ADDING CHEMICALS TO THE CONVENTION

NOTIFICATION OF REGULATORY ACTION FORM

- Facilitates reporting of national regulatory actions in accordance with Article 5 *Procedures for Banned or Severely Restricted Chemicals*
- Meets the information requirements of Annex I *Information Requirements for Notifications made Pursuant to Article 5*
- Summary of complete notifications is included in the PIC Circular

ADDING CHEMICALS TO THE CONVENTION

NOTIFICATION OF REGULATORY ACTION FORM

- An official government document it must be signed by the DNA and submitted to the Secretariat
- Combined with supporting risk evaluation is basis for review by Chemical Review Committee

ADDING CHEMICALS TO THE CONVENTION

Severely hazardous pesticide formulations

Developing Countries, or Countries with economies in transition

- Experiencing problems caused by severely hazardous pesticide formulations under conditions of use in their territory
- Propose inclusion in Annex III

ADDING CHEMICALS TO THE CONVENTION

Severely hazardous pesticide formulations

- Secretariat verifies that the proposal contains the information specified in part 1 of Annex IV
- A summary of the incident report is included in the PIC Circular
- Triggers collection of additional information by Secretariat in line with part 2 of Annex IV

Slide 28

ADDING CHEMICALS TO THE CONVENTION

Severely hazardous pesticide formulations

- Secretariat forwards proposal and information it has collected to the Chemical Review Committee
- CRC reviews the information in accordance with the criteria in part 3 of Annex IV

Slide 29

ADDING CHEMICALS TO THE CONVENTION

Severely hazardous pesticide formulations

In reviewing proposals the CRC shall take into account:

- reliability of evidence indicating that the use of the formulation in accordance with common or recognized patterns of use in the Party resulted in the reported incidents
- relevance to other States with similar climate, conditions and patterns of use of the formulation
- existence of handling or applicator restrictions that may not be reasonably or widely applied in States lacking the necessary infrastructure

Slide 30

ADDING CHEMICALS TO THE CONVENTION

Severely hazardous pesticide formulations

In reviewing proposals the CRC shall take into account:

- significance of the reported effects in relation to the quantity of the formulation used
- intentional misuse is not itself an adequate reason to list the formulation in Annex III

Slide 31

ADDING CHEMICALS TO THE CONVENTION

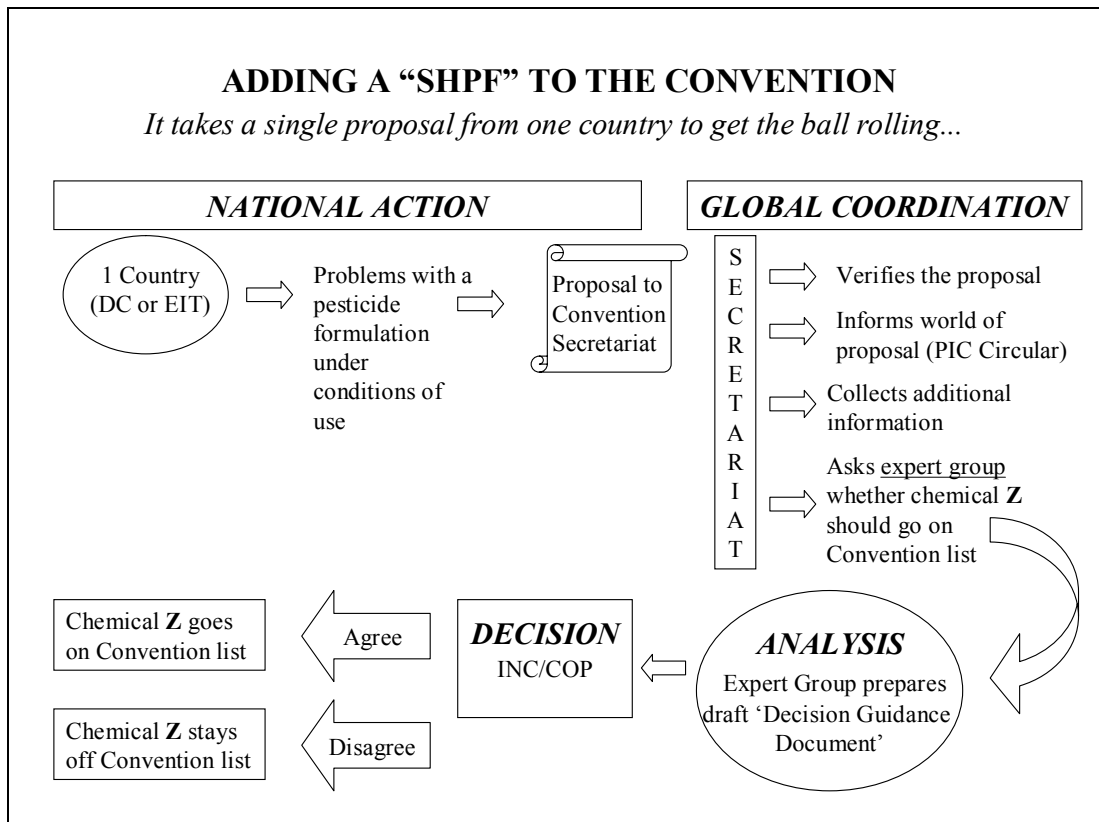
Severely hazardous pesticide formulations

The Chemical Review Committee:

- recommends to the Conference of the Parties (COP) whether to include the chemical in Annex III
- drafts a Decision Guidance Document (DGD)

The COP decides whether to include the chemical in Annex III and approve the draft DGD

Slide 32



Slide 33

**ADDING CHEMICALS TO THE
CONVENTION**

SHPF INCIDENT REPORT FORM

- Facilitates the preparation and submission of proposals regarding hazardous pesticide formulations in accordance with Article 6 *Procedures for Severely Hazardous Pesticide Formulations*
- Meets the information requirements in part 1 of Annex IV and serves as the basis for the development of proposal for submission by the DNA

Slide 34

**ADDING CHEMICALS TO THE
CONVENTION**

SHPF INCIDENT REPORT FORM

Part A - DNA transmittal form: identity of the formulation and information on its use in the prevailing conditions of the country

Part B - Incident Report form: a clear description of incidents related to the problem, including the adverse effects and the way in which the formulation was used

Slide 35

**OPERATION OF THE INTERIM
PIC PROCEDURE**

4. The Prior Informed Consent Procedure

a) How it operates

- Decision Guidance Documents (DGDs)
- Import decisions/responses
- PIC Circular

b) Importing country responsibilities

c) Exporting country responsibilities

Slide 36

**THE PRIOR INFORMED CONSENT
PROCEDURE**

DECISION GUIDANCE DOCUMENTS

- Developed for each chemical subject to the PIC procedure
- Clearly identifies the reasons for a chemical being included in the PIC procedure
- Summarises the basis for regulatory decisions reported by notifying countries

Slide 37

**THE PRIOR INFORMED CONSENT
PROCEDURE**

DECISION GUIDANCE DOCUMENTS

- Identify additional sources of information
- Assists governments in making informed decisions regarding future import of the chemical

Slide 38

**THE PRIOR INFORMED CONSENT
PROCEDURE**

Import Responses shall consist of either:

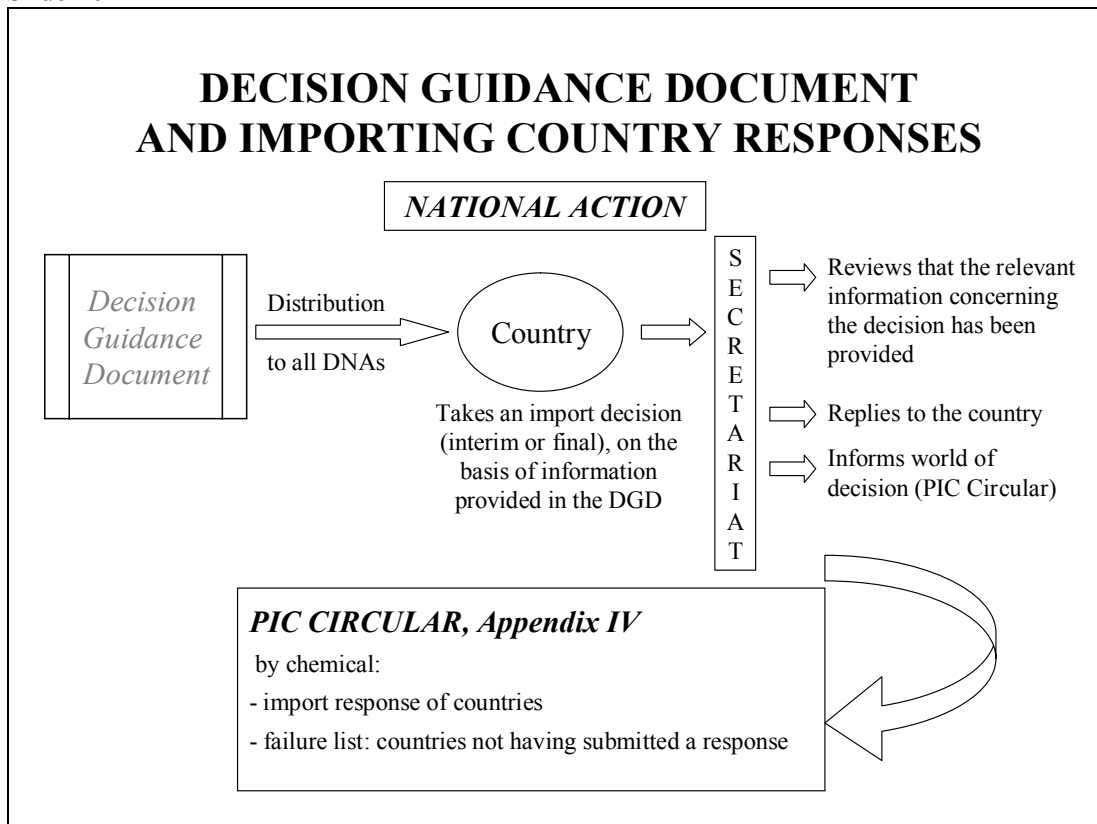
- final decision**
 - to consent to import
 - not to consent to import
 - to consent subject to specified conditions
- interim response, including**
 - an interim decision to import or not to import
 - a statement that a final decision is under consideration
 - a request for further information
 - a request for assistance in evaluating the chemical

Slide 39

**THE PRIOR INFORMED CONSENT
PROCEDURE**

Import response form

- facilitates reporting of import decisions for chemical subject to the PIC procedure in accordance with Article 10 - *Obligations in Relation to Imports of Chemicals Listed in Annex III*
- must be completed and submitted to the Secretariat within 9 months of date of dispatch of the DGD



THE PRIOR INFORMED CONSENT PROCEDURE

PIC CIRCULAR

Issued every six months, December and June, sent to all DNAs and posted on website

Provides background information on the interim PIC Procedure

Provides all Parties with the information required to be circulated in line with Articles 4, 5, 6, 7, 10, 11, and 14.

Complete list of Designated National Authorities

THE PRIOR INFORMED CONSENT PROCEDURE

PIC CIRCULAR

Includes the following Appendices:

- **Appendix I** Synopsis of final regulatory actions
- **Appendix II** Proposals for inclusion of Severely Hazardous Pesticide Formulations
- **Appendix III** Chemicals subject to the interim PIC Procedure
- **Appendix IV** List of all import responses received from Parties

THE PRIOR INFORMED CONSENT PROCEDURE

IMPORTING COUNTRY RESPONSIBILITIES

- ensure that importers, relevant authorities and where possible users are informed of notifications received
- ensure that import decisions apply uniformly to imports from all exporting countries and
- to any domestic manufacturing of the chemical for domestic use

THE PRIOR INFORMED CONSENT PROCEDURE

EXPORTING COUNTRY RESPONSIBILITIES

- Implement legislative and administrative measures to communicate import decisions within its jurisdiction
- Take appropriate measures to ensure that its exporters comply with import decisions

Slide 45

THE PRIOR INFORMED CONSENT PROCEDURE

EXPORTING COUNTRY RESPONSIBILITIES

- Advise and assist importing Parties
 - To obtain further information to help them make import decisions
 - To strengthen their capacities and capabilities to manage chemicals safely

Slide 46

THE PRIOR INFORMED CONSENT PROCEDURE


EXPORT NOTIFICATIONS

- Notify importing Party when exporting a chemical that is banned or severely restricted on its territory
- Obligation cease when:
 - The chemical is listed in Annex III
 - The importing country has provided a response
 - This response has been circulated

Slide 47

EXPORT NOTIFICATION


Country A
(exporting)




NATIONAL ACTION

Takes a regulatory action
(ban/severe restriction) on
chemical A

When country A exports chemical A, it should send export notification to importing country B:



*Export
Notification*



Country B
(importing)

Annex V indicates the information requirements

If chemical A is on the PIC list, and if country B has already provided an import decision: obligation of export notification from country A stops!

Slide 48

OPERATION OF THE INTERIM PIC PROCEDURE

5. INFORMATION EXCHANGE

The Convention facilitates the *exchange of information* among Parties about a very broad range of potentially hazardous chemicals that may be exported and imported

- **PIC Circular**
 - summaries of notifications of regulatory actions to ban or severely restrict a chemical
 - summaries of proposals for severely hazardous pesticide formulations

Slide 49

INFORMATION EXCHANGE

- **Export notification**
 - for chemicals that are banned or severely restricted in the exporting country
 - chemicals that are to be used for occupational purposes - a safety data sheet following an internationally recognized format is to be sent to the importer
 - chemicals are subject to labelling requirements that ensure adequate availability of information on risks and/or hazards to human health or the environment

Slide 50

OPERATION OF THE INTERIM PIC PROCEDURE

1. Scope of the Convention

- what chemicals are included

2. Key players

- who they are and what they do

3. Adding chemicals

- banned and severely restricted chemicals
- severely hazardous pesticide formulations

Slide 51

OPERATION OF THE INTERIM PIC PROCEDURE

4. The Prior Informed Consent procedure

- how it operates
- decision guidance documents (DGDs)
- import decisions

Importing and exporting country responsibilities

5. Information exchange

SESSION 3: OVERVIEW OF THE ROTTERDAM CONVENTION

Presentation by the Secretariat

DESCRIPTION OF THE ROTTERDAM CONVENTION ON THE PRIOR INFORMED CONSENT PROCEDURE FOR CERTAIN HAZARDOUS CHEMICALS AND PESTICIDES IN INTERNATIONAL TRADE

How was the Convention developed?

The dramatic growth in chemical production and trade during the past three decades has raised both public and official concerns about the potential risks posed by hazardous chemicals and pesticides. Countries lacking adequate infrastructure to monitor the import and use of these chemicals are particularly vulnerable.

In response to these concerns, UNEP and FAO started developing and promoting voluntary information exchange programmes in the mid-1980s. FAO launched its International Code of Conduct on the Distribution and Use of Pesticides in 1985 and UNEP set up the London Guidelines for the Exchange of Information on Chemicals in International Trade in 1987. In 1989, the two organizations jointly introduced the voluntary Prior Informed Consent procedure into these two instruments. Together, these programmes helped to ensure that governments had the information they need about hazardous chemicals for assessing the risks and taking informed decisions on future chemicals imports.

Seeing the need for mandatory controls, officials attending the 1992 Rio Earth Summit adopted Chapter 19 of Agenda 21, which called for adoption of a legally binding instrument on the PIC procedure by the year 2000. Consequently, the FAO Council (in 1994) and the UNEP Governing Council (in 1995) mandated their executive heads to launch negotiations. The talks started in March 1996 and concluded in March 1998 by finalizing the text of the Convention on the Prior Informed Consent Procedure for Certain Hazardous Chemicals in International Trade. In clear testimony to the urgency attributed to addressing international trade in hazardous chemicals, governments completed the negotiations of the Convention in only two years and two years before the deadline set by the Rio Earth Summit.

The Rotterdam Convention was adopted at the Conference of the Plenipotentiaries in Rotterdam on 10 September 1998 and opened for signature on 11 September 1998. It remained open for signature for one year at the UN Headquarters in New York till 10 September 1999. During the signature period, 72 States and one regional economic integration organization signed the Convention.

The Convention will enter into force 90 days after the deposition of 50 instruments of ratification, acceptance, approval or accession. As of September 2003, 47 States (Austria, Belgium, Bulgaria, Burkina Faso, Cameroon, Canada, Czech Republic, El Salvador, Equatorial Guinea, Ethiopia, European Community, Gambia, Germany, Ghana, Guinea, Hungary, Italy, Jamaica, Jordan, Korea, Republic of, Kyrgyzstan, Libya, Luxembourg, Malaysia, Mali, Marshall Islands, Mongolia, Netherlands, Nigeria, Norway, Oman, Panama, Paraguay, Romania, Samoa, Saudi Arabia, Senegal, Slovenia, South Africa, Suriname, Switzerland, Tanzania, Thailand, United Arab Emirates, Ukraine, Uruguay) had ratified, accepted, approved or acceded to the Convention.

Interim arrangements – the interim Prior Informed Consent procedure

The Conference also adopted a resolution on interim arrangements for the Convention. Under this resolution, the original, voluntary PIC procedure was changed to bring it in line with the provisions of

the Convention. This new, interim PIC procedure would continue to operate until the Convention enters into force.

Which chemicals will be included?

The Convention covers pesticides and industrial chemicals that have been banned or severely restricted for health or environmental reasons by participating Parties and which have been subject to notification by Parties for inclusion in the PIC procedure. Severely hazardous pesticide formulations that present a hazard under the conditions of use in developing country Parties or Parties with economies in transition may also be proposed for inclusion. The inclusion of chemicals in the PIC procedure is decided by the Conference of the Parties. The Convention will initially include at least 27 chemicals^{1/} carried forward from the original, voluntary PIC procedure and hundreds more are likely to be added as the provisions of the Convention are implemented.

Certain specific groups of chemicals such as narcotic drugs and psychotropic substances, radioactive materials, wastes, chemical weapons, pharmaceuticals, food and food additives are excluded from the scope of the Convention. Also excluded are chemicals in quantities not likely to affect human health or the environment, provided they are imported for research or analysis purposes or by an individual for personal use in quantities reasonable for such use.

How will it work – Key players

Each Party must designate one or more national authorities authorized to act on its behalf in the performance of the administrative functions required by the Convention. Some Parties have nominated one authority for all chemicals while others have designated several, with separate responsibility for pesticides and industrial chemicals. The DNA is generally a governing department or office responsible for broad policy decisions regarding chemicals or with the authority to decide which chemicals may be used in the country. The need to designate one or more DNAs is dependent upon the administrative and legislative organization in each country.

The implementation of the Convention will be overseen by a Conference of the Parties. A Chemical Review Committee will be established to review notifications and proposals from Parties, and make recommendations to the Conference of the Parties on which chemicals should be included in the PIC procedure. The Convention requires that the entire process be conducted in an open and transparent manner.

During the interim period, the Intergovernmental Negotiating Committee (INC) that negotiated the Convention will oversee implementation of the interim PIC procedure, and will decide on inclusion of additional chemicals^{2/}. To assist it in this task, the INC has established an Interim Chemical Review Committee, consisting of 29 government-designated experts in chemical management.

^{1/} Annex III of the Convention, as adopted by the Conference of Plenipotentiaries, lists the following chemicals -
Pesticides: 2,4,5-T, aldrin, captafol, chlorobenzilate, chlordane, chlordimeform, DDT, dieldrin, dinoseb, 1,2-dibromoethane (EDB), fluoroacetamide, HCH, heptachlor, hexachlorobenzene, lindane, mercury compounds, pentachlorophenol and certain formulations of methamidophos, methyl-parathion, monocrotophos, parathion and phosphamidon.
Industrial chemicals: crocidolite, polybrominated biphenyls (PBB), polychlorinated biphenyls (PCB), polychlorinated terphenyls (PCT), tris(2,3 dibromopropyl)phosphate.

^{2/} In addition to the 27 chemicals listed in Annex III of the Convention and carried forward from the original, voluntary PIC procedure, the Intergovernmental Negotiating Committee has added the pesticides binapacryl, ethylene dichloride, ethylene oxide, toxaphene and monocrotophos to the interim PIC procedure.

UNEP and FAO will serve as Secretariat for the interim period, in order to support the implementation of the interim PIC procedure and prepare for the entry into force of the Convention. UNEP and FAO have also been assigned the responsibility for Secretariat of the Convention.

Objectives:

The objective of the Rotterdam Convention is to promote shared responsibility and cooperative efforts between exporting and importing countries in the international trade of certain hazardous chemicals in order to protect human health and the environment from potential harm. It will also contribute to their environmentally sound use, by facilitating information exchange about their characteristics, by providing for a national decision-making process on their import and export and by disseminating these decisions to exporting and importing countries.

How will it work – Key elements

According to the Convention, export of a chemical can only take place with the *prior informed consent* of the importing Party.

The *Prior Informed Consent (PIC) procedure* is a means for formally obtaining and disseminating the decisions of importing countries as to whether they wish to receive future shipments of a certain chemical and for ensuring compliance to these decisions by exporting countries. The aim is to promote a shared responsibility between exporting and importing countries in protecting human health and the environment from the harmful effects of such chemicals.

The Convention contains provisions for the *exchange of information* among Parties about potentially hazardous chemicals that may be exported and imported and provides for a *national decision-making process* regarding import and compliance by exporters with these decisions.

The provisions regarding information exchange include:

- the requirement for a Party to inform other Parties of each ban or severe restriction on a chemical it implements nationally;
- the possibility for a developing country Party or a Party with an economy in transition to inform other Parties that it is experiencing problems caused by a severely hazardous pesticide formulation under conditions of use in its territory;
- the requirement for a Party that plans to export a chemical that is banned or severely restricted for use within its territory, to inform the importing Party that such export will take place, before the first shipment and annually thereafter;
- the requirement that an exporting Party, when exporting chemicals that are to be used for occupational purposes, shall ensure that a safety data sheet that follows an internationally recognized format, setting out the most up-to-date information available, is sent to the importer;
- the requirement that exports of chemicals included in the PIC procedure and other chemicals that are banned or severely restricted domestically, when exported, are subject to labelling requirements that ensure adequate availability of information with regard to risks and/or hazards to human health or the environment.

Operation of the PIC Procedure

On taking a domestic regulatory action to ban or severely restrict a chemical, the DNA is to complete a notification of final regulatory action form and forward it to the Secretariat. Those notifications found to meet the information requirements of Annex 1 of the Convention are considered complete and a summary is included in the PIC Circular. When the Secretariat has received at least one notification from each of two PIC regions, that contain the information required in Annex I of the Convention, it requests the supporting documentation from the notifying Party and forwards the complete notifications and the accompanying documentation to the Chemical Review Committee.

In the case of severely hazardous pesticide formulations a similar process is followed. Where reports of pesticide poisoning incidents are found to meet the information requirements of part 1 of Annex IV of the Convention, a summary is prepared and published in the PIC Circular. The Secretariat then collects the information listed in part 2 of Annex IV. The incident report and the additional information collected by the Secretariat are then forwarded to the Chemical Review Committee

In both instances the Committee reviews the information provided and decides whether or not to recommend the inclusion of the chemical in the PIC procedure to the Conference of the Parties.

For each chemical subject to the PIC procedure a decision guidance document (DGD) is developed and circulated to DNAs. The DGD is intended to help governments assess the risks connected with the handling and use of the chemical and make more informed decisions about future import and use of the chemical, taking into account local conditions of use.

For each chemical subject to the PIC procedure the DNA is requested to decide whether to accept import, refuse import or allow import under certain conditions and to inform the Secretariat of their decision. A listing of the import responses given for each chemical subject to the PIC procedure is published every six months in the PIC Circular.

A simplified flow chart (attached) illustrates the various steps of the information exchange and PIC procedure (Article 5-12 of the Convention).

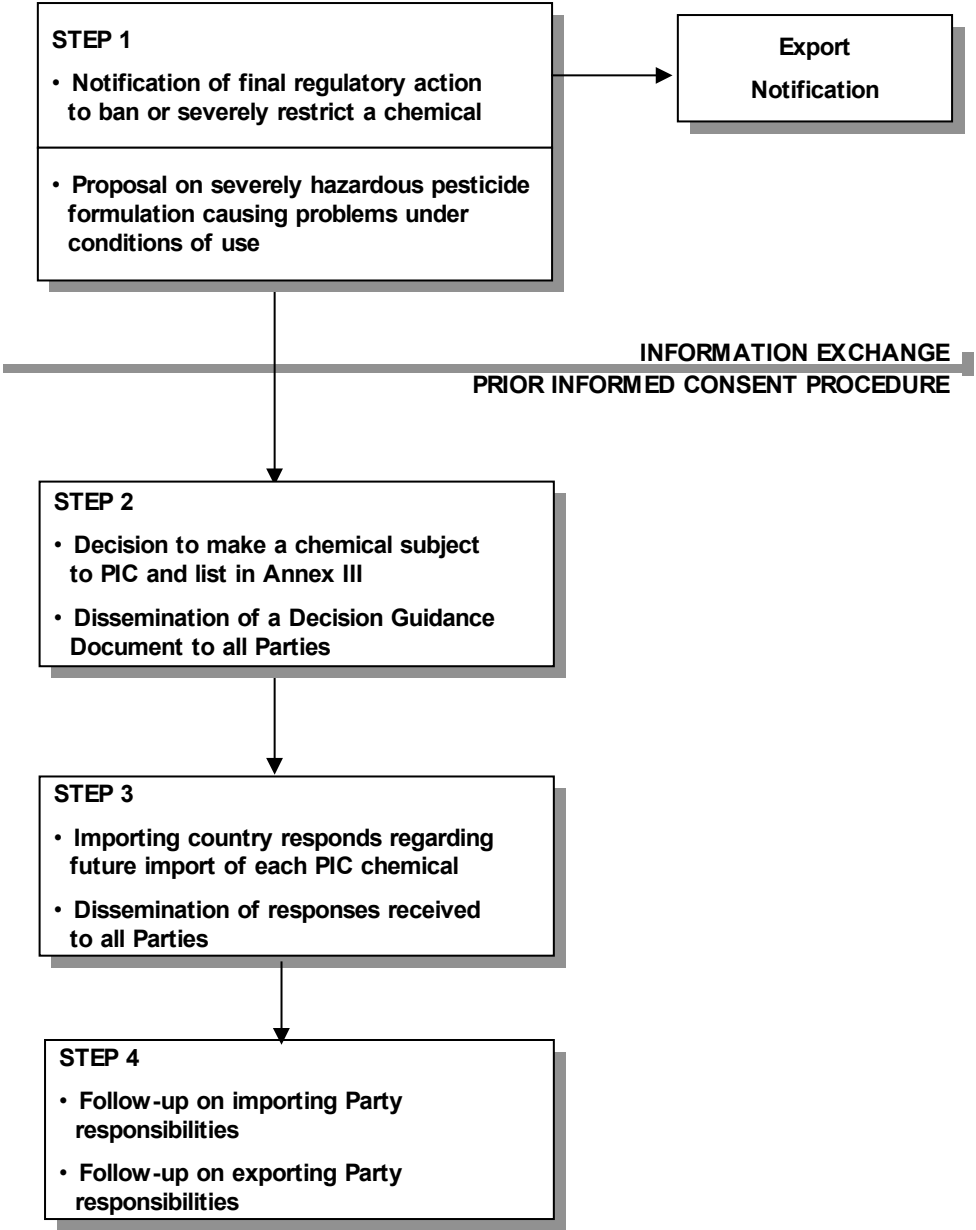
Party responsibilities

Import decisions taken by Parties must be trade neutral; that is, if the Party decides it does not consent to accepting imports of a specific chemical, it must also stop domestic production of the chemical for domestic use or imports from any non-party.

A chemical subject to the PIC procedure should not be exported without the consent of the importing Party; however, the export may proceed if there have been previous shipments to that Party or if the chemical is approved in that Party and the regulatory situation has not changed. Exporting Parties should ensure that import responses published in the PIC Circular are immediately communicated to their exporters, industry and any other relevant authorities, such as the Department of Customs. Exporting Parties are also obliged to take appropriate measures, within their authority and legislative competence, to ensure that exports do not occur contrary to the decision of each importing Party.

The Convention provides for technical assistance between Parties. Parties shall, taking into account in particular the needs of developing countries and countries with economies in transition, cooperate in promoting technical assistance for the development of the infrastructure and the capacity necessary to manage chemicals to enable implementation of the Convention. Parties with more advanced programmes for regulating chemicals should provide technical assistance, including training to other Parties in developing their infrastructure and capacity to manage chemicals throughout their life-cycle.

SUMMARY CHART - INFORMATION EXCHANGE & THE PIC PROCEDURE



THE OPERATIONAL ELEMENTS OF THE ROTTERDAM CONVENTION

A simplified summary flow chart illustrates the various steps of the information exchange and PIC procedure (Article 5-12 of the Convention).

SESSION 9: INFORMATION EXCHANGE
Opportunities for information exchange

Introduction by the Secretariat

Slide 1

SESSION 9

INFORMATION EXCHANGE

Slide 2

Structure of Session 9

- Introduction
- Presentations by invited speakers on related activities in the sub-region
- Panel Discussion

Slide 3

Objectives of Session 9

1. understand the information exchange provisions of the Convention
2. understand the possibilities for exchanging information on hazardous chemicals through the operation of the Convention
3. identify opportunities for information exchange within countries and among countries in the sub-region

Slide 4

Introduction

- ⇒ Key Provisions of the Convention
- ✂ Opportunities for information exchange through the operation/implementation of the Convention

Slide 5

⇒ Key Provisions of the Convention

Article 14 - Information Exchange - Key Elements

- outlines the type of information to be exchanged including scientific, technical, economic and legal information for the chemicals within the scope of the Convention
- notes that countries shall protect any confidential information as mutually agreed

Slide 6

Article 14 - Information Exchange

Key Elements

Identifies information that is not to be regarded as confidential including:

- information referred to in Annexes I and IV and in the safety data sheet to accompany exported chemicals
- the production date and the expiry date of a chemical

Slide 7

Article 14 - Information Exchange

Key Elements

- information on precautionary measures including hazard classification, the nature of the risk, relevant safety advice and summary results of toxicological and ecotoxicological tests

Provides a mechanism for countries to request information on transit movements through their territories

Opportunities for information exchange

A principal theme is facilitating access to information - wide range of opportunities for countries to:

- receive information on hazardous chemicals and
- share information and experience with countries facing similar concerns

Slide 9

Opportunities for information exchange

- REGISTER OF DNAs
- PIC CIRCULAR
- EXPORT NOTIFICATIONS
- DECISION GUIDANCE DOCUMENTS (DGDs)
- WEBSITE

Slide 10

i) Register of Designated National Authorities

Constitutes a ready made set of contacts among countries

- opportunity to follow-up on reported notifications for banned or severely restricted chemicals or proposals for severely hazardous pesticide formulations
- share experience and information on issues of common interest

Slide 11

ii) PIC CIRCULAR

Provides information on hazardous chemicals

- Distributed every six months (June - December)
- Provides general information on implementation including: status of ratification
- Chemical/country specific information:
 - four appendices

Slide 12

ii) PIC CIRCULAR

- | | |
|---------------------|---|
| Appendix I | new notifications of banned or severely restricted chemicals in participating countries |
| Appendix II | pesticide formulations causing problems under conditions of use |
| Appendix III | list of the chemicals subject to the interim PIC procedure |
| Appendix IV | import decisions of participating countries |
| Appendix V | tabular summary of valid notifications received |

Slide 13

iii) EXPORT NOTIFICATION (Article 12)

Where a chemical is banned or severely restricted within an exporting country they are to send an export notification to the importing country

- prior to the first export following adoption of the regulatory action and
- before the first export in any calendar year

Slide 14

iii) INFORMATION TO ACCOMPANY EXPORTED CHEMICALS (Article 13)

- where they are to be used for occupational purposes, a safety data sheet that follows an internationally recognised format is to be sent to the importer
- chemicals are subject to labelling requirements that ensure adequate availability of information with regard to risks and/or hazards to human health or the environment

Slide 8

Slide 16

iv) CHEMICALS IN THE INTERIM PIC PROCEDURE

Decision guidance documents (DGDs)

- define the chemical subject to the Convention
- outline the basis for the relevant regulatory actions
- provide a snapshot of information available at the time of preparation
- identify further sources of information

Slide 17

v) Rotterdam Convention Website

www.PIC.INT

- primary source of information on the operation of the Convention, the chemicals subject to the Convention and candidate chemicals
- updated as new information becomes available
- **e-mail accounts:** pic@fao.org pic@unep.ch

SESSION 9: INFORMATION EXCHANGE
Relationship between the Basel (Waigani), Rotterdam and Stockholm Conventions

Presentation by the Secretariat

Slide 1

Relationship of the Stockholm,
Basel and Rotterdam
Conventions:

Opportunities to work together

Slide 2

Overview

- Presentation will outline the common elements of the three Conventions
 - Present common themes and potential interactions
- Conventions together cover production, use, trade, environmental release, disposal and destruction – i.e., the entire life-cycle of chemicals
- Common technical and scope elements
- Possible 'bridging' elements – technical assistance, financing, governance

Slide 3

**Scope and coverage of the
Conventions**

- Evaluating and regulating new and existing chemicals (PIC and POPs)
- Import/export control (PIC, POPs and Basel)
- Disposal (POPs and Basel)
- Hazard communications (PIC, POPs and Basel)
- Environmental releases (POPs)
- Other links

Slide 4

Candidate chemicals

- Stockholm Convention requires Parties to consider POPs characteristics in their chemical regulatory schemes.
- This approach likely to lead to increasing numbers of bans or severe restrictions of possible POPs.
- Banned or severely restricted chemicals must be notified under the Rotterdam Convention.
- Rotterdam Convention serves as first line of defence.

Slide 5

Import/Export Control

- Stockholm Convention strictly controls import/export of POPs
- Rotterdam Convention provides an "extension"
 - Trade under Stockholm Convention exemptions
 - Trade with Stockholm Convention non-Parties
 - Period until the Stockholm Convention enters into force
 - Trade in possible future POPs
 - Monitoring trade
 - Harmonized System Custom Codes
- Should be implemented consistently

Slide 6

Import/Export Control (2)

- Basel Convention covers movement of hazardous wastes
- Rotterdam Convention may 'catch' wastes packaged and labelled as chemicals (masquerades)
- Both work to prevent and reduce stockpiles
- Customs programmes and programmes to combat illegal trafficking need to apply to all 3 conventions (as well as for ozone, CITES, etc.)

Slide 7

Import/Export Control (3)

- Three conventions should be implemented consistently.
- Some monitoring of international movement may be possible with harmonised customs codes.

Slide 8

Waste Management (1)

- Rotterdam Convention may minimise waste generation by stopping import of unwanted or unusable chemicals
- Stockholm aims to destroy POPs wastes as a priority
 - Important to use destruction techniques which do not produce more POPs – environmentally sound disposal
- Technical guidelines needed for management of POPs wastes – currently under development in Basel Convention

Slide 9

Waste Management (2)

- Important to reduce or eliminate releases of POPs (dioxins, furans, PCBs, HCB) in waste management practices
- Sources include:
 - Waste incinerators (municipal, hazardous, medical, sewage sludge)
 - Cement kilns firing hazardous waste
 - Open burning of waste
 - Waste oil refineries
 - Others

Slide 10

Waste Management (3)

- Basel Convention has technical guidelines covering:
 - PCBs
 - Dioxins
 - Furans
 - Other hazardous wastes that may contain POPs
- These guidelines may be used in Stockholm Convention

Slide 11

Bridging Elements

- Technical Assistance
- Technology Transfer
- Financial Mechanisms
- Regional Centres
- National Implementation Plans
- Policy development by Parties

Slide 12

Technical assistance/Technology transfer

- PIC – Article 16
 - Parties cooperate in providing assistance, including capacity building
- POPs
 - bilateral technical assistance
 - Other technical assistance as agreed by the COP
 - Technology transfer
 - Regional Centres

Slide 13

Regional Centres

- Established by the Basel Convention
- Required by the Stockholm Convention
- Not required for Rotterdam Convention
- Possibility in the interim period to access Basel (and other) Centres for the Stockholm Convention
- Feasibility study and case studies

Slide 14

Financial Mechanism

- Rotterdam Convention
 - informal
- Stockholm Convention
 - GEF
 - Other sources of funds
- Basel Convention
 - Technical Cooperation Trust Fund

Slide 15

Financial Mechanism (2)

- Leveraging resources
- Funding provided in Stockholm for, inter alia,
 - Control of production, import and use of POPs
 - Clean-up and disposal of POPs wastes
 - Technologies to reduce or eliminate POPs releases, including for destruction of POPs and other wastes
- Funds also available for national implementation plans and other enabling activities
 - Can include incremental costs of implementing Rotterdam Convention in the NIP.

Slide 16

Working Together

- General international support for related conventions to look for opportunities to work together (clustering)
- 'Chemicals and Waste Cluster' identified
- Agreement to encourage conventions to work together taken in Cartagena (GMEF), February 2001
- Endorsed by WSSD
- First steps include looking at administrative and policy linkages and practical cooperation

Slide 17

Working Together (2)

- Practical activities already underway
 - Common workshops on the 3 Conventions
 - Consistent information from Secretariats
 - Workshops on each Convention include information on coordinated implementation
 - NIPs guidance reference Rotterdam and Basel Conventions and encourages implementation

Slide 18

Summary

- Framework for life cycle management
- Leveraged resources
- Strengthened programmes for chemicals management
- To be successful it must be replicated at the global, regional and national levels

SESSION 9: INFORMATION EXCHANGE
Relationship between the Basel (Waigani), Rotterdam and Stockholm Conventions

Presentation by Clark Peteru

THE WAIGANI CONVENTION

1. BACKGROUND

The Pacific Ocean and its islands have been subjected to the effects of hazardous and radioactive wastes for many decades. These include:

- nuclear tests carried out by the USA, Great Britain and most recently France;
- the dumping of wastes at sea;
- the use of islands as waste disposal sites, for example Jolmston Atoll;
- the export of dangerous pesticides and other chemicals to Pacific islands.

In addition there is the threat posed by the shipment of hazardous and radioactive wastes (for example plutonium) through the EEZs of Pacific island countries.

The vastness of the ocean and the small, remote and economically weak nature of the islands makes the Pacific fair game for these sorts of activities.

The Waigani Convention states that it is a Convention to:

- BAN the importation of hazardous and radioactive wastes
- CONTROL the transboundary movement of hazardous wastes
- MANAGE hazardous wastes

2. PARTIES (AND OTHER PARTIES)

The Convention denominates various classes of countries (Forum Island Countries, Parties, Other Parties and Pacific Island Developing Countries) and each class is treated differently according to the purpose for which the classification is made.

A “Pacific Island Developing Party” consists of Forum Island Countries, minus Australia and New Zealand who are termed “other Parties”, plus other Islands that subsequently join and are considered to be such by the Conference of the Parties. The protective mechanisms of the Convention are primarily for this group.

“Other Parties” consists of Australia and New Zealand, plus other countries that subsequently join and are considered to be such by the Conference of the Parties (for example the United States of America, France). These countries have this label only for the purposes of trade in hazardous waste. “Other Parties” can’t export hazardous and radioactive waste to PIDPs but can do so between each other.

Current Parties:

1. Australia
2. Cook Is
3. Federated States of Micronesia
4. Fiji
5. Kiribati
6. Marshall Is.
7. New Zealand
8. Niue
9. Papua New Guinea

10. Samoa
11. Solomon Islands
12. Tuvalu

3. HAZARDOUS AND RADIOACTIVE WASTES

The Waigani Convention deals both with hazardous and radioactive wastes but devotes much more attention to the former.

“Hazardous waste” is defined:

- (a) by production processes known to be hazardous or by the presence of poison in the resulting work (refer to Annexes 1 and 2 of the Convention).
- (b) as wastes not covered by (a) but which are defined as such in the national legislation of the exporting, importing or transit Party, to, from or through which such wastes are sent.

“Radioactive waste” is defined as waste which as a result of being radioactive is subject to other international control systems. In other words the Convention adopts the definitions of all other international agreements covering radioactive material.

4. OBLIGATIONS: HAZARDOUS AND RADIOACTIVE WASTES

- “Pacific Island Developing Parties” are to ban the import of all hazardous and radioactive wastes from outside the Convention Area;
- Australia, NZ and “other Parties” are to ban the export of all hazardous and radioactive wastes to Forum Island Countries or to territories within the Convention Area other than territories designated as an “other Party”.
- A Party, also being a Party to an anti-dumping convention, reaffirms it will not dump hazardous or radioactive wastes at sea.

5. OBLIGATIONS: HAZARDOUS WASTES

Obligations cover:

- minimizing the generation of HW;
- ensuring that transboundary movements of HW generated within the Convention Area conform to the Convention;
- ensuring availability of treatment and disposal facilities;
- developing programmes to manage and simplify transboundary movement of HW;
- developing a HW management strategy;
- submitting reports to the Secretariat regarding generation of HW;
- subject to arrangements with non-parties, prohibiting HW from being transported to or from a non-party;
- prohibiting domestic ships and aircraft from contravening the Convention.

6 . OBLIGATIONS: RADIOACTIVE WASTES

The obligations are somewhat soft:

- to give active consideration to the implementation of the IAEA Code of Practice and similar instruments
- to actively participate in the Convention on the Safe Management of Nuclear Waste.

(Obligations regarding “domestically prohibited goods”, i.e., chemicals banned in their country of manufacture, are similarly soft).

7. NOTIFICATION: TRANSBOUNDARY MOVEMENT OF HAZARDOUS WASTE BETWEEN PARTIES

A detailed notification procedure is described for importing Parties, exporting Parties and transit Parties. Documentation required includes:

- Export notification
- Written Consent or Disapproval
- Movement Document
- Accident Notification

The Basel Convention Secretariat has model documentation which can be modified for the Waigani Convention.

8. SECRETARIAT

SPREP is designated as the Secretariat for the Convention and has a wide range of duties generally to do with coordinating, communicating, reporting and arranging meetings.

9. CONFERENCE OF THE PARTIES

The first conference of the parties was held on 20 July 2002 in the Marshall Islands after the 10th ratification triggered the entry into force of the Convention on 21 October 2001.

10. DECISIONS

- One of the major decisions of the COP was to establish a Scientific and Technical Advisory Committee to advise the COP. Draft terms of reference have been drawn up and the first meeting is scheduled for early 2004.
- It was also decided that a Joint Centre of the Basel and Waigani Conventions be established within SPREP for the joint implementation of these sister Conventions.

Other key decisions were made on:

- Reporting and transmission of information and approval of draft forms to be used for reporting
- Illegal traffic and the need for national legislation
- Legal and technical assistance

SESSION 9: INFORMATION EXCHANGE

Relationship between the Basel (Waigani), Rotterdam and Stockholm Conventions

Presentation by Gabriela Löw

Slide 1

Integrated implementation of the Basel, Rotterdam and Stockholm Conventions:

The Swiss Experience

by Gabriela Löw
Swiss Agency for the Environment, Forests and Landscape

1

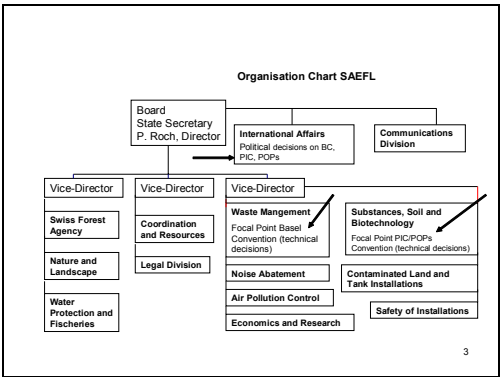
Slide 2

Common concerns of the Basel, PIC and POPs Conventions

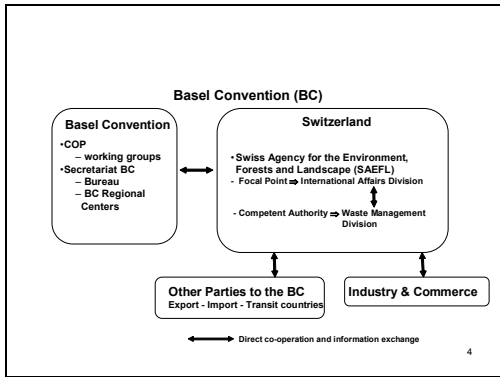
- Dealing with hazardous materials (products or wastes)
- Seeking to protect human life and the environment
- Aiming to reduce hazardous components in materials
- Preventing unnecessary trade in toxic materials
- Promoting international cooperation, partnership and capacity-building

2

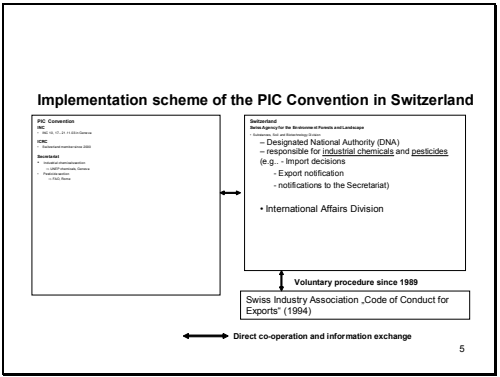
Slide 3



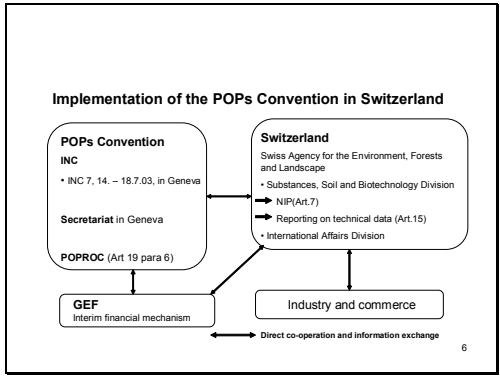
Slide 4



Slide 5



Slide 6



Slide 7

Summary of the common aspects of the Swiss implementation for Basel, PIC and POPs

- Implementation only through S-ARTL
- Political implementation → International Affairs Division
- Technical implementation
 - IAC - Toxic Substances
 - PIC and POPs - Substances, Soil and Biotechnology Division
- Coordinated technical decisions
- political and technical decisions are coordinated in between the three Conventions

7

Slide 8

Joint implementation of Chemical Convention in Switzerland

Why is it the best solution for Switzerland

- Synergies
- Efficiency
- Cost saving

8

SESSION 9: INFORMATION EXCHANGE

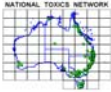
Relationship between the Basel (Waigani), Rotterdam and Stockholm Conventions

Presentation by Mariann Lloyd Smith

Slide 1

**The Synergy of Chemical Conventions
– an NGO Perspective**

1. NGOs support for the synergy of the Conventions
2. NGOs Activities in the region



Dr Mariann Lloyd Smith
Coordinator, National Toxics Network
Australia / Pacific Focal Point for IPEN

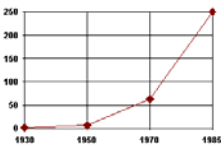
Slide 2

**The Synergy of Chemical Conventions
– an NGO Perspective**

- Chemical Contamination - no respect for territorial borders
- Multilateral Environmental Agreements (MEAs)
 - minimise & prevent impacts of toxic chemicals & hazardous waste
 - preventative action saves \$

Synthetic Chemical Production

World production of organic (carbon based) chemicals increased from about 1 million tonnes/year in 1930s to 250 million tonnes/year by 1985, with annual production doubling every 7-8 years.



Slide 3

Synergy – Tool for Managing Chemicals

'combined effects of separate actions provide an outcome far greater than sum of individual parts'

Together, *Basel, Waigani, Rotterdam & Stockholm* :

- integrated, 'cradle to grave' life cycle approach to chemicals
- regulatory authority to monitor/enforce env. standards
- support of international instruments
- technological transfer
- funding opportunities
- regional frameworks
- avoid future problems through information exchange & technical capacity building

Slide 4

Activities for Life Cycle Management

- identify contaminated sites
- manage stockpiles
- reduce/eliminate POPs releases, use, production
- ESM of wastes
- regulating transport & trade of haz / radioactive wastes
- avoiding introduction of new hazardous chemicals
- regulate imports
- exchange information
- technical capacity building
- financial assistance for developing countries.

Slide 5

Convention Actions

- *Existing Chemicals* - notify bans / severe restrictions, list severely hazardous pesticide formulations (RC), POPs screening criteria, eliminate production / use of POPs (SC)
- *New Chemicals* - prevent production / use new POPs (SC)
- *Import/Export controls* – transboundary haz waste movement (WBC), PIC procedure (RC), restrict POPs import/export except for ES disposal & control POPs transport across international borders (SC)
- *Waste Management* - ESM of haz wastes, minimise waste generation, disposal facilities availability, technical guidelines POPs wastes (BC/W), identify POPs wastes, ESM management with the POPs content destroyed or irreversibly transformed (SC)

Slide 6

Convention Actions

- *Environmental Releases* – reduce or eliminate POPs releases from intentional production and use, unintentional production, stockpiles & wastes (SC)
- *Hazard Communication* – all require the communication of hazard information
- *Replacement and Alternatives* - information exchange and research on alternatives & implementation of alternative DDT products (SC, RC)

Slide 7

Synergy of Support

- NGOs & PIC regulators - few resources, no time, not enough people
- Synergy of Conventions - legal, technical, information, financial support
 - BC/WC/SC - Regional Training Centres / technology transfer
 - SC - financial & technical support for NIPs, inc Action Plans & ESM
 - RC - technical assistance for infrastructure/ chemical management
- Financial support
 - Global Environment Facility
 - Basel Convention Technical Cooperation Trust Fund
 - Other Donors
- Pacific NGOs – POPs public awareness
NIPs participation

Slide 8

Why involve NGOs?

- Agenda 21 UNCED 1992 - democracy, transparency & involving civil society in global partnerships for ESD

'in the public interest for the community to be informed, to exercise their right to understand, to make informed choices, and to participate in informed decision-making'

- Bahia Declaration on Chemical Safety' IFCS (2000)

'recognise the community's right to participate meaningfully in decisions about chemical safety that affects them'

- Stockholm Convention Article 10

Slide 9

What have NGOs got to offer ?

- expand gov't limited financial/human resources
- NGO capacity building initiatives
- affordable expertise
- improved outreach to civil society
- translate international obligations into national/ local agendas
- long-term, broad-based support:
 - foster cooperative solutions
 - increase ownership of implementation measures
 - build political will to ensure adequate resources

Slide 10

NGOs & the Conventions

- UNEP welcomes involvement
 - International POPs Elimination Network (IPEN)
 - Basel Action Network (BAN)
 - Pesticide Action Network - prior informed consent (PAN)
- IPEN forum for NGOs - participate in the UN POPs INC process
300 public health / env / consumer in 70 countries
- IPEN - Stockholm (Art 6) & Basel - levels of destruction/irreversible transformation, env.sound disposal/ destruction, POPs concentration levels
- Many 'resource challenged' NGOs
 - integration, coordination, regional approach

Slide 11

Commonalities in Implementing Conventions

- Legal & Institutional Requirements (GP, BAN legal briefs/analysis)
- Monitoring & Enforcement (PAN, IPEN Community Monitoring, BAN, GP)
- Capacity Building & Information Exchange (NGO info systems, educational & public awareness initiatives eg PCRRC Poisons on Paradise, POPs Handbook, HCB & DDT Dipsites CIS, BAN Technotrash Report)
- Environmentally Sound Management of Chemicals & Hazardous Waste (NGO alerts, chemical use & waste strategies)

Slide 12

Some Options for a Way Forward

- Project Partnerships with NGOs based on common implementation activities
- Fellowships to recruit extra personnel for specific activities
- Access & use global NGO expertise
- Joint Funding Proposals for activities of mutual interest to provide resources

Slide 13

Further Reading:

The Hazardous Chemicals and Waste Conventions, Clustering the Conventions, Secretariat of the Basel Convention, Interim Secretariat of the Rotterdam Convention, Interim Secretariat of the Stockholm Convention (July 2002)

Inter-Linkages, Synergies and Coordination between Multilateral Environmental Agreements (July 1999, Tokyo, Japan) United Nations University

Regional & National Approaches in Asia and the Pacific Inter-linkages: Synergies and Coordination among Multilateral Environmental Agreements (January 2002, Tokyo, Japan) United Nations University

Pacific Islands Case Study, Inter-linkages: Synergies and Coordination among Multilateral Environmental Agreements (July 2002, Tokyo, Japan)

