

The Rotterdam Convention

Thursday, 11 October 2007

The Rotterdam Convention on the Prior Informed Consent (PIC) Procedure for Certain Hazardous Chemicals and Pesticides in International Trade was adopted at a Conference of Plenipotentiaries in Rotterdam on 10th September 1998, and opened for signature the following day. Its aim is to promote a shared responsibility between exporting and importing countries in protecting human health and the environment from the harmful effects of certain chemicals, by enabling the trade in very dangerous substances to be controlled and monitored.

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Structure and Agreements

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The Convention will enter into force once it has been ratified by fifty countries. However, it is unique among multilateral environmental agreements in that an interim arrangement has been agreed - governments will continue to implement the voluntary PIC procedure using the new procedures of the Convention until the Convention enters formally into force.

Obligations and follow-up

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

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 formulations 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
- The requirement for a Party that plans to export a chemical that is banned or severely restricted for use within its own 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 imported
- 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.

The Convention also provides that

Decisions taken by the importing Party must be trade neutral – in other words, 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.

There should be technical assistance between Parties to promote the development of infrastructure and capacity to manage chemicals in such a way as to implement this Convention (taking particular note of the needs of developing countries and countries with economies in transition).

Each Party must designate one or more national authorities authorised to act on its behalf in the performance of the administrative functions required by the Convention.

Review Process

In the interim period before the Convention has entered into force, UNEP and FAO will serve as Secretariat. Once legally binding, the implementation of the Convention will be overseen by a Conference of the Parties. A Chemicals Review Committee will be established to review notifications and nominations from Parties, and make recommendations to the Conference of the Parties on which chemicals should be included in PIC procedure.