

**Rotterdam Convention on the Prior Informed Consent Procedure for Certain Hazardous Chemicals and Pesticides in International Trade**Distr.: General
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English only

**Stockholm Convention on Persistent Organic Pollutants****Conference of the Parties to the Rotterdam Convention on the Prior Informed Consent Procedure for Certain Hazardous Chemicals and Pesticides in International Trade
Tenth meeting**Geneva, 26–30 July 2021 and 6–17 June 2022*
Agenda item 7 (c)**Enhancing cooperation and coordination among the Basel, Rotterdam and Stockholm conventions: synergies in preventing and combating illegal traffic and trade in hazardous chemicals and wastes****Conference of the Parties to the Stockholm Convention on Persistent Organic Pollutants
Tenth meeting**Geneva, 26–30 July 2021 and 6–17 June 2022*
Agenda item 7 (c)**Enhancing cooperation and coordination among the Basel, Rotterdam and Stockholm conventions: synergies in preventing and combating illegal traffic and trade in hazardous chemicals and wastes****Draft forms and explanatory notes to enable Parties to the Rotterdam and Stockholm conventions to voluntarily provide information about cases of trade occurring in contravention of the conventions****Note by the Secretariat**

1. As is mentioned in the note by the Secretariat on synergies in preventing and combating illegal traffic and trade in hazardous chemicals and wastes (UNEP/CHW.15/24–UNEP/FAO/RC/COP.10/20–UNEP/POPS/COP.10/24), annex I to the present note sets out revised draft forms, including explanatory notes, to provide information on cases of trade occurring in contravention of the Rotterdam and Stockholm conventions, taking into account comments received and, as appropriate, the approach taken under the Basel Convention. Annex II sets out a compilation of the comments received on earlier versions of the forms.
2. The revised draft forms, including explanatory notes, take into account, as appropriate, the approach taken under the Basel Convention, in particular table 9 of the national reporting format of the Basel Convention to report cases of illegal traffic which have been closed in the reporting year and instructions for completing the table as explained in the Manual for completing the format for national reporting under the Basel Convention.
3. The present note, including its annexes, has not been formally edited.

* In accordance with decisions BC-15/1, RC-10/2 and SC-10/2 of the conferences of the Parties to the Basel, Rotterdam and Stockholm conventions, the 2021/2022 meetings of the conferences of the Parties are being held in two segments: an online segment held from 26 to 30 July 2021 and a face-to-face segment to be held from 6 to 17 June 2022 in Geneva.

Annex I

A. Form for cases of trade occurring in contravention of the Rotterdam Convention

Party: _____

Date of transmission of the form: _____

State of export, state of import and state of transit, if applicable (1)	Chemical (2)	CAS number (3)	Category (4)	HS code (5)	Trade name (6)	Amount (metric tons) (7)	Date of detection of the illegal trade (8)	Sample analysis and its method; visual identification, if available (9)	Identification of the provisions that have been contravened (list relevant Articles of the Convention and any relevant national provisions) (10)	Responsible for illegality (please tick ✓ as appropriate) (11)			Measures taken in response to the illegal trade (12)
										Exporter	Importer	Other	

Please consider providing additional information about cases of trade occurring in contravention of the Rotterdam Convention, including an explanation of the nature and origin of chemicals, purpose for trade, identification of the place of origin/transit/destination, further information about the national legislation, and other relevant information.

Case No	Additional information
1.	
2.	
3.	
...	

Remarks:

The Parties, consistent with national laws and regulations, may transmit on a voluntary basis to the Secretariat (brs@un.org) before the end of each calendar year, the completed form for cases of trade occurring in contravention of the Rotterdam Convention in the previous calendar year. Forms will be made available on the website of the Convention as received.

The Rotterdam Convention requires Parties to exchange information with respect to the import and export of the covered chemicals. Parties are under an obligation to take the appropriate measures to ensure that the import and export of the covered chemicals comply with the following requirements:

- (a) The import and export of hazardous chemicals listed in Annex III are subject to the prior informed consent (PIC) procedure. Exports are allowed if the State of import has consented to the future import of the specific chemical through an import response. If the Party has, in its Import Response, consented to import the chemical subject to specified conditions, the exporting Party has to take measures to ensure the decisions, including these conditions, are complied with within the time limits set out in the Convention (articles 10 and 11);
- (b) When a chemical not listed in Annex III but banned or severely restricted by a Party is exported from its territory, that Party must notify each importing Party before the first export and before the first export in any calendar year thereafter (article 12); the information requirements for export notifications are contained in Annex V;
- (c) Exports of banned or severely restricted chemicals, as well as of chemicals subject to the PIC procedure, are to be appropriately labelled and accompanied by basic health and safety information in the form of a safety data sheet as far as practicable in the official language(s) of the importing Party (article 13 paragraphs 2 - 5);
- (d) Because of the need for import responses to be trade neutral, a Party deciding not to consent or providing specified conditions to the import of certain chemicals, must also prohibit, or allow only under the same specified conditions, imports of these chemicals from “any source” and domestic production of the chemical for domestic use (article 10 paragraph 9).

In column 1, indicate the Parties involved in the case of illegal trade (exporting Party and importing Party as well as State of transit, if applicable), providing for the direction of transport as follows: “From Party A to Party B through Party C by land/ sea/other”; use 2-letter ISO codes to indicate countries. A list of ISO codes is available [here](#).

In column 2, indicate the chemical in question as listed in Annex III to the Rotterdam Convention or banned or severely restricted by a Party and being exported from its territory. Annex III to the Convention includes chemicals that have been banned or severely restricted for health or environmental reasons by two or more Parties and which the Conference of the Parties has decided to subject to the PIC procedure. The latest information available under the Convention on chemicals banned or severely restricted by a Party is made available on the website of the Rotterdam Convention once transmitted to the Secretariat.

In column 3, provide a CAS Registry number (s) of chemicals subject to illegal trade and, where possible, packaging (e. g. barrels, cans, bags, boxes, or any other non-specified types) in support with the identification of the physical nature of the chemical when the CAS number(s) is not available. A list of Annex III chemicals and associated CAS is available on the Rotterdam Convention website. Only the CAS numbers of parent compounds are to be listed. For a list of other relevant CAS numbers, reference may be made to the relevant Decision Guidance Document.

In column 4, indicate whether the chemical in question belongs to one of these categories: pesticide, industrial chemical, or severely hazardous pesticide formulations (SHPFs). A list of Annex III chemicals and their category is available [here](#).

In column 5, fill in the HS code or the national code for chemicals listed in Annex III as well as for chemicals banned or severely restricted by a Party and being exported from its territory, whenever available. HS codes for the Annex III chemicals listed under the Rotterdam Convention are available [here](#). HS codes for packaging (e. g. barrels, cans, bags, boxes, or any other non-specified types) can be included in support with the identification of the physical nature of the chemical when the HS code(s) is not available.

In column 6, provide a trade name of the chemical.

In column 7, fill in the amount in metric tons. Use the mathematical symbol “.” to indicate only decimal fractions. Avoid using any other mathematical symbols, such as “,” or “`” to indicate thousands e.g. ten thousand and a quarter tons = 10000.25.

In column 8, indicate the date when the case of illegal trade was detected.

In column 9, indicate whether sample analysis has been completed and which analytical method was used and whether visual identification (e. g. photo of the consignment, chemicals, labels) has been collected, in which case they should be provided.

In column 10, specify the Rotterdam Convention provision(s) and, if possible, national legislation provision to which the trade is deemed to be in contravention. Where possible, specify the purpose for which chemicals in questions were the subject of trade (e. g. use in its original form or as an input into industrial processes, recycling, disposal, etc.).

In column 11, specify the entity that was identified as being responsible for the case of illegal trade, bearing in mind that multiple entities may be responsible. Entities, which are not identified as an exporter or importer should be included in the column “Other” (e. g. shipping lines).

In column 12, specify the measures taken in your country to address the case of illegal trade. These may include:

- (a) Prosecution of those responsible for the illegal trade, and the outcome e.g. conviction with fine or prison sentence, administrative measures such as revocation of an authorization, civil measures such as compensation for damage, or acquittal. Please also indicate if there has been any appeal to such judgements.
- (b) Cooperation measures taken such as: legal assistance provided to another country concerned by the case of illegal trade to enable additional prosecutions, exchange with other countries so as to better prevent further illegal trade, further investigations of related illegal activities.
- (c) Arrangements for the environmentally sound management of chemicals subject to illegal trade (storage, recycling, disposal, take-back to the country of export, etc.)

B. Form for cases of trade occurring in contravention of the Stockholm Convention

Party: _____

Date of transmission of the form: _____

State of export, state of import and state of transit, if applicable (1)	Chemicals or articles and mixtures containing those chemicals (2)	CAS number (3)	For Annex A chemicals: registered specific exemption (4)		For Annex B chemicals: registered acceptable purpose or specific exemption (5)		HS code (6)	Trade name (7)	Amount (metric tons) (8)	Date of detection of the illegal trade (9)	Sample analysis, and its method; visual identification, if available (10)	Identification of the provisions that have been contravened (list relevant Articles of the Convention and any relevant national provision) (11)	Responsible for illegality (please tick ✓ as appropriate) (12)			Measures taken in response to the illegal trade (13)	
			State of export	State of import	State of export	State of import							Exporter	Importer	Other		

Please consider providing additional information about cases of trade occurring in contravention of the Stockholm Convention, including an explanation of the nature and origin of chemicals, purpose for trade, identification of the place of origin/transit/destination, further information about the national legislation, and other relevant information.

Case No	Additional information
1.	
2.	
3.	
...	

Remarks:

The Parties, consistent with national laws and regulations, may transmit on a voluntary basis to the Secretariat (brs@un.org) before the end of each calendar year, the completed form for cases of trade occurring in contravention of the Stockholm Convention in the previous calendar year. Forms will be made available on the website of the Convention as received.

The Stockholm Convention, amongst other things, regulates the import and export of intentionally produced persistent organic pollutants (POPs) listed in Annexes A and B to the Convention. Conditions related to trade are set out in paragraph 2 of Article 3.

With respect to the import, the chemicals can only be imported for:

- (a) The purpose of environmentally sound disposal as set forth in Article 6 paragraph 1 (d); or
- (b) A use or purpose which is permitted for that Party under Annex A or Annex B.

With respect to the export, chemicals for which safer alternatives are not readily available to all countries and for which there is a specific exemption or acceptable purpose can only be exported:

- (a) For the purpose of environmentally sound disposal as set forth in Article 6 paragraph 1 (d);
- (b) To a Party which is permitted to use that chemical under Annex A or Annex B; or
- (c) To a State not Party to the Convention which has provided an annual certification to the exporting Party. A “State not Party to the Stockholm Convention” includes a Party to the Convention that has not agreed to be bound by the Convention with respect to a particular chemical – i.e. a Party that has not consented to be bound by specific amendments related to a particular chemical (para 2(d) of Article 3).

Specific information is available on the Stockholm Convention website about the Parties bound by amendments to the Annexes A and B¹ as well as registered specific exemptions and acceptable purposes².

If the above conditions on the import and export of POPs are fulfilled, trade may take place, subject to the relevant PIC procedures:

- (a) In the case of POPs wastes, the control procedure of the Basel Convention will apply;
- (b) In the case when POPs are listed in the Annex III of the Rotterdam Convention, the PIC procedure of the Rotterdam Convention will apply.

¹ <http://chm.pops.int/Countries/StatusofRatifications/Amendmentstoannexes/tabid/3486/Default.aspx>.

² <http://chm.pops.int/Implementation/Exemptions/SpecificExemptions/tabid/1133/Default.aspx> and <http://chm.pops.int/Implementation/Exemptions/AcceptablePurposes/tabid/793/Default.aspx>.

In column 1, indicate the States involved on the case of illegal trade (State of export and State of import as well as State of transit, if applicable), providing for the direction of transport as follows: “From Party A to Party B through Party C by land/sea/other means of transportation”; use 2-letter ISO codes to indicate countries. A list of ISO codes is available [here](#).

In column 2, indicate the chemical in question (pesticide or industrial chemical) as listed in the annexes of the Stockholm Convention. The Annex A lists chemicals which are to be eliminated and the Annex B includes chemicals that must be restricted.

In column 3, provide a CAS Registry number of chemicals subject to illegal trade and, where possible, packaging (e. g. barrels, cans, bags, boxes, or any other non-specified types) in support with the identification of the physical nature of the chemical when the CAS number(s) is not available.

In column 4, indicate the State of export and the State of import involved if they have registered specific exemptions in accordance with Article 4 of the Stockholm Convention. The register of specific exemptions for chemicals listed in Annex A is available [here](#). This information may help in identifying the cause of the illegal trade.

In column 5, indicate the States of export and the States of import involved if they have registered for acceptable purpose or specific exemption. Registers of acceptable purposes for chemicals listed in Annex B are available [here](#). The register of specific exemptions for chemicals listed in Annex B is available [here](#). This information may help in identifying the cause of the illegal trade.

In column 6, fill in the HS code or the national code, whenever available. HS codes for packaging (e. g. barrels, cans, bags, boxes, or any other non-specified types) can be included in support with the identification of the physical nature of the chemical when the HS code(s) is not available. See annex III in the Manual for customs officers on hazardous chemicals and wastes under the Basel, Rotterdam and Stockholm conventions.

In column 7, provide a trade name of the chemical.

In column 8, fill in the amount in metric tons of chemicals or Articles or mixtures containing these chemicals and its chemical content (if known).. Use the mathematical symbol “. ” to indicate only decimal fractions. Avoid using any other mathematical symbols, such as “ , ” or “ ` ” to indicate thousands. e.g. ten thousand and a quarter tons = 10000.25.

In column 9, indicate the date when the case of illegal trade was detected.

In column 10, indicate if sample analysis has been completed and which analytical method was used and whether visual identification (e. g. photo of the consignment, chemicals, labels) has been collected, in which case they should be provided.

In column 11, specify the Stockholm Convention provision(s) which have been contravened and, if possible, any provisions of measures adopted domestically by which the trade is deemed to be illegal. Where possible, specify the purpose for which chemicals in questions were the subject of trade (e. g. use in its original form or as an input into industrial processes use, recycling, disposal, etc.).

In column 12, specify the entity that was identified as being responsible for the case of illegal trade, bearing in mind that multiple entities may be responsible. Please also indicate if it was not possible to attribute responsibility to a specific entity. Entities, which are not identified as an exporter or importer should be included in the column “Other” (e. g. shipping lines).

In column 13, specify the measures taken in your country to address the case of illegal trade. These may include:

- (a) Prosecution of those responsible for the illegal trade, and the outcome e.g. conviction with fine or prison sentence, administrative measures such as revocation of an authorization, civil measures such as compensation for damage, or acquittal. Please also indicate if there has been any appeal to such judgements.
- (b) Cooperation measures taken such as: legal assistance provided to another country concerned by the case of illegal trade to enable additional prosecutions, exchange with other countries so as to better prevent further illegal traffic, further investigations of related illegal activities.
- (c) Arrangements for the environmentally sound management of chemicals subject to illegal trade (storage, recycling, disposal, take-back to the country of export, etc.).

Annex II

Compilation of the comments received from Parties on the draft forms for cases of trade occurring in contravention of the Rotterdam and Stockholm conventions

1. Australia

Thank you for the opportunity to review and provide comment on the attached letter on synergies in preventing and combating illegal traffic and trade in hazardous chemicals and wastes, and draft forms for cases of trade occurring in contravention of the Rotterdam and Stockholm Conventions.

Australia found the draft forms and notes to be clear and self-explanatory and have no comments.

2. Chile

We agree with the draft forms for cases of trade occurring in contravention of the Rotterdam and Stockholm conventions.

3. China

Thank you for sending us the draft forms for comments. We would like to seek your clarifications and make suggestions for revision on several points in the form and notes for the Stockholm Convention.

(a) For columns 4 and 5 in the form, we hope to have further understanding about the purpose of them. If the export/import is illegal, the case should be recorded in the form no matter the parties have registered specific exemptions/acceptable purposes or not. If the export/import is allowed and legal because of registration of specific exemptions/acceptable purposes, it is not needed to be reported in the form. If our understanding is correct, we suggest that column 4 and 5 be deleted.

(b) It is suggested that the wording chemicals "for which safer alternatives are not readily available to all countries and" be deleted because there is no such wording in the convention as the reason for specific exemptions or acceptable purposes.

(c) It is suggested that the wording "non-party" be changed to "state not party" as it is used in the Convention.

(d) It seems that there is a citing mistake in the last para of page 5, is it "para 2(d) of Article 3" instead of "para 2(b) of Article 3"?

4. Costa Rica

Reciba un cordial saludo por parte del Servicio Fitosanitario del Estado, como entidad encargada del Convenio de Rotterdam y como autoridad nacional designada del Convenio de Rotterdam por plaguicidas en Costa Rica, con respecto a la nota enviada el 15 de diciembre de 2020 referente a "Sinergias para prevenir, combatir el tráfico ilegal y el comercio de productos químicos peligrosos y Residuos: proyectos de formularios para casos de comercio que se produzcan en contravención con los Convenios de Rotterdam y Estocolmo", un comentario que Costa Rica tiene, en lo que respecta al Convenio de Rotterdam (Anexo 1), es que en el documento que se envía no se indica la periodicidad que cada parte debe enviar los formularios a la Secretaría, si es una vez al año ó cuando se detecte algún caso de tráfico ilícito, por lo que se recomienda de la misma manera en esta misma nota no se incluye el procedimiento que debe seguir cada parte para el intercambio de los formularios con la secretaría.

5. Germany

Referring the draft forms and explanatory notes to provide information on cases of trade occurring in contravention of the Rotterdam and Stockholm conventions we have a small comment. We propose to add in Annex 1 and 2 an additional column, similar like in Annex 3, with "others". Beyond exporters and importers there exist possibly other actors, e.g. shipowners could have responsibility.

6. Guatemala

Guatemala appreciates the shared documentation and appreciates the effort made. We find very helpful the forms sent for trade cases that occur in contravention of the Rotterdam and Stockholm Conventions, as well as the explanatory notes to the annexes. Guatemala does not have any comments on the draft forms and annexes.

7. India

Reference may kindly be made to an email dated December 23, 2020, seeking comments on draft forms for cases of trade occurring in contravention of the Rotterdam and Stockholm conventions.

In this regard, the following suggestions may be noted for consideration please:

- (a) Details of the packaging: In case of illegal trade, it is unlikely to get realistic information on CAS no./ HS Code. Therefore, putting CAS no./ HS Code-related details of the packing, such as barrels/cans/ bags/ boxes/ any other non-specified type, would be helpful for crude identification of the physical nature of the chemical. The information would also serve to be useful for the categorization of existing/ prospective consignments as chemical/ hazardous waste/ POP waste.
- (b) Measures taken for final action /disposal of the chemical/ hazardous waste/ POP waste: If the consignment happens to be an illegal chemical/ waste, then apart from action taken on the involved agencies, it is also important to have a track on the ultimate fate of the consignment in terms its safe disposal/ return to the parent organization/ safe storage and custody, etc. The purpose of transporting consignment (like for storage, disposal, process-use, recycling, etc.), if included in Forms, would be very useful for parties and will prevent the shipment from being diverted to other countries.
- (c) In case of illegal import of the hazardous or other waste, the importer shall re-export the waste in question at his cost within a period of ninety days from the date of its arrival into India and its implementation will be ensured by the concerned Port and the Customs authority. In case of disposal of such waste by the Port and Customs authorities, they shall do so in accordance with the applicable domestic rules with the due permission of the concerned authority, where the Port exists.
- (d) In case of illegal import of hazardous or other waste, where the importer is not traceable then the waste either can be sold by the Customs authority to any user having authorization under applicable rules or can be sent for authorized treatment, storage, and disposal facility.

8. Japan

Japan would like to thank the Secretariat of Basel, Rotterdam and Stockholm Conventions for its work to draft forms for cases of trade occurring in contravention of the Rotterdam and Stockholm conventions. Japan would like to comment on its draft format column 1 of Annex 1 and 2 “Parties (States) of export and Parties (States) of import”. We suggest that the information provided in the Column include transit Parties(states) and types of transportation. The information would be useful to know the details of cases of trade occurring in contravention of the Conventions. We note that providing the information is voluntary.

In Column 1, indicate the Parties (States) involved in the case of illegal trade (exporting Party and importing Party (State of export and State of import)), providing for the direction of transport as follows: “From Party (State) A by sea to Party (State) B (by land) to Party(State) C ” where possible, use 2-letter ISO codes to indicate countries. A list of ISO codes is available here.

9. Myanmar

Regarding synergies in preventing and combating illegal traffic and trade in hazardous chemicals and wastes, draft forms for cases of trade occurring in contravention of the Rotterdam and Stockholm conventions are well received.

In terms of the Rotterdam convention, Myanmar has not ratified the convention yet. As a member country for Stockholm conventions, we would like to inform you that we have no objection to the draft form stated in Annex 2 and would cooperate to control cases of trade occurring in contravention of the Stockholm Convention.

10. New Zealand

Thank you for the opportunity to comment on the draft forms for cases of trade occurring in contravention of the Rotterdam and Stockholm conventions. New Zealand supports the development of these forms to assist Parties to provide information about such cases of trade.

We would like to suggest that, where possible, Parties are also asked to attach photos of the material involved to the notification form. One photo should include the labelling on any packets in the shipment. This would be useful for all three conventions.

We also found the link to the HS codes in the explanatory note for column 5 in the Rotterdam Convention table useful. Could a similar link be provided in the explanatory code for column 6 in the Stockholm Convention table, and could a HS column and explanatory note be provided in the Basel Convention table?

We would also like to suggest that the columns in the Basel Convention table are numbered, the same as the columns in the tables for the Rotterdam and Stockholm conventions, as this makes it easy to find the relevant explanatory note.

11. Romania

According to the request from 15 December 2020 concerning the decisions of the conferences of the Parties to the Rotterdam and Stockholm Conventions in reference to the possibility for the Parties to voluntarily provide information about cases of trade occurring in contravention of these Conventions, on behalf of Romania I would like to kindly ask you to note that for our country no cases of trade have been identified in violation with the above mentioned Conventions.

12. Russian Federation



ПОСТОЯННОЕ ПРЕДСТАВИТЕЛЬСТВО
РОССИЙСКОЙ ФЕДЕРАЦИИ
ПРИ ОТДЕЛЕНИИ ООН И ДРУГИХ
МЕЖДУНАРОДНЫХ ОРГАНИЗАЦИЯХ
В ЖЕНЕВЕ

PERMANENT MISSION
OF THE RUSSIAN FEDERATION
TO THE UNITED NATIONS OFFICE AND
OTHER INTERNATIONAL ORGANIZATIONS
IN GENEVA

№ 16448

Постоянное представительство Российской Федерации при Отделении ООН и других международных организациях в Женеве свидетельствует своё уважение Секретариату Базельской, Роттердамской и Стокгольмской конвенций и имеет честь представить комментарии российской стороны к проектам форм и пояснительных документов для представления Сторонам Роттердамской и Стокгольмской конвенций информации о случаях несанкционированного оборота опасных химических веществ и отходов.

1. В проекте формы для случаев торговли, совершенных в нарушении Роттердамской конвенции, российская сторона предлагает:

- наименование столбца № 9 изложить в следующей редакции: «анализ проб и метод анализа, если доступно»;
- пояснение к заполнению столбца № 9 изложить в следующей редакции: «в столбце № 9 укажите, был ли проведён анализ пробы и каким методом выполнен анализ».

Секретариат Базельской,
Роттердамской и Стокгольмской
конвенций
Программа ООН по окружающей среде

Женева

2. В проекте формы для случаев торговли, совершенных в нарушении Стокгольмской конвенции, российская сторона предлагает:

- наименование столбца № 10 изложить в следующей редакции: «анализ проб и метод анализа, если доступно»;

- пояснение к заполнению столбца № 10 изложить в следующей редакции: «в столбце № 10 укажите, был ли проведён анализ пробы и каким методом выполнен анализ».

Постоянное представительство Российской Федерации пользуется настоящей возможностью, чтобы возобновить Секретариату Базельской, Роттердамской и Стокгольмской конвенций уверения в своём высоком уважении. *aa*

Женева, «9» апреля 2021 года



13. Serbia

Republic of Serbia has no reported cases of trade occurring in contravention of the Rotterdam and Stockholm Convention. We do not have any additional comment on the draft forms.

14. United Kingdom of Great Britain and Northern Ireland



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15 November 2021

Response of the United Kingdom to the call for information regarding synergies in preventing and combating illegal traffic and trade in hazardous chemicals and wastes: draft forms for cases of trade occurring in contravention of the Rotterdam and Stockholm Conventions.

Dear Mr Payet and Mr. Womdim,

Thank you very much for the opportunity to provide comments on the draft forms and explanatory notes to provide information on cases of trade occurring in contravention of the Rotterdam and Stockholm Conventions.

The UK would like to take this opportunity to express its appreciation to the Secretariat for developing the draft forms and explanatory notes, taking into account lessons learned from experience with the Basel Convention, to enable Parties to the Rotterdam and Stockholm Convention to voluntarily provide information about cases of trade occurring in contravention of those conventions.

The UK supports the general concept of the proposed forms and the level of detail which is required. We would like to recommend the inclusion an optional annex to the form which would include a summary explanation of the nature and origin of the material, the activity and destination identified, and the concern about it. This would assist those reading the forms to

understand the context and interpret it appropriately. This could be particularly helpful in the context of POPs waste, where there can be complex waste chains, with multiple waste treatments involved. Having the option to provide this greater level of detail would enable the Party to fully explain why they have taken actions (even if it could appear that the concentration of the chemical of concern may be very low).

We would also like to kindly ask the Secretariat to provide some further clarification of its understanding of the scope of the information requested by the forms. We understand from the draft proposals that both the forms for the Rotterdam and Stockholm Conventions are focussed on the reporting of illegal trade in 'chemicals', providing space to report the amount of that chemical in metric tons. However, we were unsure whether this applied to articles and mixtures containing those chemicals, as well as the unreacted substance itself.

It could therefore be helpful to make this definition explicit in the form or explanatory notes. If there were appetite to cover articles and mixtures, we believe the form would need to be amended to allow the respondent to report that their response relates to an article or mixture, and to provide both the mass of the article / mixture and the mass of the relevant chemical content (if known).

We believe that the proposed approach could support understanding of the prevalence and size of trade occurring in contravention of the Rotterdam and Stockholm Conventions. As an international community, we must show determination in improving the effectiveness of the Conventions and advance synergies to fulfil the objectives of the Multilateral Environmental Agreements.

Yours sincerely,

Ellie Bates

UK National Focal Point for the Rotterdam & Stockholm Conventions
Chemicals, Pesticides and Hazardous Waste, Department for Environment, Food and Rural Affairs
Ellie.bates@defra.gov.uk ; ukmeas@defra.gov.uk