

# QUESTIONS TO COLLECT INFORMATION ON SPECIFIC CHALLENGES

## **Part I: Laws, regulations, policies, procedures and other measures to implement the Rotterdam Convention (decisions CC-2/3, CC-2/4)**

*Part I relates to legal legislative and/or administrative measures taken by Parties to implement the Rotterdam Convention*

1. Has your country/organization adopted legislative or administrative measures to implement the Rotterdam Convention (Articles 5, 10, 11, 12, 13, 15)?
  - Yes  
(Please attach or provide URL link to text of the measures)
  - No
  
2. If you replied yes to Question 1, please tick aspects of the Convention's provisions covered by those measures (tick all that apply):
  - Final regulatory action (Article 5)
    - Preparation and adoption
    - Preparation of notifications and transmission to the Secretariat
  - Import responses (Article 10)
    - Preparation
    - Transmission to the Secretariat
  - Obligations related to exports of chemicals listed in Annex III (Article 11)
    - Communicating import responses of other Parties to those concerned within your jurisdiction
    - Ensuring exporters within your jurisdiction comply with import responses transmitted by other Parties
    - Ensuring no exports of Annex III chemicals to any importing Party that, in exceptional circumstances, has failed to transmit an import response or transmitted an import response that does not contain an interim decision unless the conditions of Article 11, paragraph 2 are fulfilled
  - Export notifications (Article 12)
    - Provision of export notifications to importing Parties
    - Acknowledgement of receipt of export notifications
  - Information to accompany exported chemicals (Article 13)
  - Other measures to establish and strengthen national infrastructures and institutions for the effective implementation of the Convention (Article 15) (Please specify)  
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3. Has your country/organization faced challenges relating to the adoption or enacting of legislative or administrative measures to implement the Rotterdam Convention?
  - No

Yes

If yes, please provide further information on what may assist in overcoming those challenges (tick all that apply):

- Awareness of the Rotterdam Convention at the national level
- Awareness about the importance of implementing the Convention into national legislation
- Different policy priorities within your country
- Preliminary survey of existing legislation to determine whether there are gaps to adequately implement the Rotterdam Convention
- Specialist technical expertise of legal and chemicals management issues for transposing Convention obligations into domestic law
- Improved coordination between various interested entities (i.e. ministries and agencies)
- Increased expertise in legislative drafting
- Financial considerations
- Other considerations.

Please provide more information about what may be needed to assist in overcoming the challenges, as relevant:

## Part II: Practical aspects of implementation of the Rotterdam Convention (decisions CC-2/4, CC-2/5, CC-2/6)

*Part II relates to practical aspects of implementation of the Rotterdam Convention, namely notifications of final regulatory action, import responses and obligations of exporting Parties, and export notifications*

### A. Notifications of final regulatory action (Article 5)

1. Does your country/organization have a definition of final regulatory action?

- No  
 Yes

If yes, please:

- (i) Provide the text (please attach or provide a URL link) [and a translation into English if possible]; and  
(ii) Confirm if this definition matches the definition contained in Article 2 of the Rotterdam Convention  
 No  
 Yes

2. Does your country/organization have in place measures and/or procedures to

- (i) **Adopt** a final regulatory action  
 No  
 Yes  
(ii) **Submit** within 90 days of it taking effect a notification of final regulatory action to the Secretariat?  
 No  
 Yes

Please provide more information about what may be needed to assist in overcoming the challenges, as relevant, in adopting or notifying the Secretariat of a final regulatory action:

### B. Imports and exports of chemicals listed in Annex III (Articles 10 and 11)

*Importing Parties:*

3. Has your country/organization faced challenges in relation to the:

- (i) **Preparation** of import responses  
 No  
 Yes  
(ii) **Submission** of import responses to the Secretariat  
 No  
 Yes

If you responded yes to (i) or (ii), please provide further information on what may assist in overcoming those challenges (tick all that apply):

- Awareness of the Rotterdam Convention at the national level
- Legislative or administrative measures
- Improved coordination and cooperation between national stakeholders
- Different policy priorities within your country
- Information on the hazards/risks posed by the chemical
- Information on domestic production and/or use of the chemical
- Specialist technical and/or other expertise in chemicals management
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- Financial considerations
  
- Other considerations.

Please provide more information about what may be needed to assist in overcoming the challenges, as relevant:

4. Has your country/organization communicated import responses to those concerned within the jurisdiction (e.g. customs, importers etc.)
- No
  - Yes

*Exporting Parties:*

5. Has your country/organization faced challenges related to:
- Ensuring exporters within the jurisdiction comply with import responses transmitted by other Parties
  - Communicating import responses transmitted by other Parties to those concerned within the jurisdiction (e.g. customs, exporters etc.)
6. If you ticked either of the boxes in question 5 above, please provide information on what may assist in overcoming these challenges (tick all that apply):
- Legislative or administrative measures
  - Improved coordination and cooperation between national stakeholders
  - Improved communication channels for information exchange
  - Improved respect for the measures by exporters / Illegal trade in chemicals
  - Other considerations

Please provide more information about what may be needed to address the challenges faced, as relevant:

### C. Export notifications (Article 12)

7. Have export notifications been provided to the importing Party when chemicals that your country has banned or severely restricted and that are not listed in Annex III have been exported from your territory to another Party?

- No  
 Yes

If yes, were such notifications provided (tick all that apply):

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

8. If your country/organization has faced challenges with providing an export notification to importing Parties, please specify whether this related to (tick all that apply):

- Preparation of the export notification (collection of information specified in Annex V)  
 Preparation of the export notification (other challenges, please specify)  
 Transmission of the export notification to the importing Party (issues with country contacts)  
 Transmission of the export notification to the importing Party (other challenges)

Please provide more information about what may be needed to address the challenges faced, as relevant:

9. Has your country/organization received export notifications from an exporting Parties pursuant to paragraph 1 of Article 12?

- No  
 Yes

If yes, did your country/organization acknowledge receipt of the first export notification received after the adoption of the final regulatory action?

- No  
 Yes

10. Has your country/organization faced any challenges with acknowledging receipt of such notifications?

- No  
 Yes

If you responded yes, please provide further information on what may assist in overcoming those challenges (tick all that apply):

- Lack Awareness of the Rotterdam Convention at the national level  
 Legislative or administrative measures  
 Improved coordination and cooperation between national stakeholders  
 Information on the hazards/risks posed by the chemical

- Specialist technical and/or other expertise in chemicals management
- Other considerations.

Please provide more information what may be needed to address these challenges, as relevant:

## Part III: Tools and actions to address challenges

*Part III of this questionnaire relates to identifying tools and actions that may be used to overcome challenges related to implementation of the Rotterdam Convention*

***Existing tools and resources are available and can be consulted from the Rotterdam Convention website [here](#).***

What in particular could help your country/organization address the challenges mentioned in the sections above (Please provide further detail as relevant)?

**Thank you**