



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

Distr.: General
18 August 2024

English only

Compliance Committee for the Rotterdam Convention on the Prior Informed Consent Procedure for Certain Hazardous Chemicals and Pesticides in International Trade Second meeting

Rome, 19–21 March 2024 and Online, 30 September 2024

Item 5 (c) of the agenda*

Review of systemic issues of general compliance: exports and imports of chemicals listed in Annex III

Exports and imports of chemicals listed in Annex III¹

Note by the Secretariat

I. Introduction

1. At its first meeting (16–18 November 2022), the Compliance Committee of the Rotterdam Convention on the Prior Informed Consent Procedure for certain Hazardous Chemicals and Pesticides in International Trade adopted decision CC-1/4, by which it requested the Secretariat, on behalf of the Committee for the purpose of facilitating the collection of information on challenges being faced with submitting import responses in accordance with Article 10 of the Convention, to contact by means of a letter the Parties who have yet to transmit any import responses for the chemicals listed in Annex III. The Committee also requested the Secretariat, based on the information received by the importing Parties contacted, to prepare for consideration at its second meeting a report on the specific challenges being faced with submitting import responses and what concrete solutions could be made available through the Committee to support Parties' efforts to transmit import responses in accordance with Article 10.

2. By its decision RC-11/5, the Conference of the Parties at its eleventh meeting (1–12 May 2023), adopted the programme of work of the Compliance Committee for the biennium 2024–2025. Among other things, the programme of work mandated the Committee to:

(a) Based on information from Parties that have yet to transmit any import responses for the chemicals listed in Annex III, review challenges faced by importing Parties with submitting import responses;

(b) Develop recommendations for consideration by the Conference of the Parties on steps that could be taken by Parties, the Conference of the Parties, the Compliance Committee and others to support importing Parties in submitting import responses; and

(c) Undertake further work to identify challenges being faced by exporting Parties with ensuring that exporters within their jurisdiction comply with import responses.

* UNEP/FAO/RC/CC.2/1/Rev.1.

¹ This document has not been formally edited.

3. At the face-to-face sessions of its second meeting (Rome, 19–21 March 2024), the Committee adopted decision CC-2/5 on exports and imports of chemicals listed in Annex III. The Committee requested the Secretariat to:

- (a) Continue to communicate, on behalf of the Committee, with those Parties who have yet to transmit import responses for any of the chemicals listed in Annex III to the Convention, highlighting the assistance and advice available to Parties through the Secretariat upon request in relation to import responses;
- (b) Continue to provide assistance and advice to Parties upon request in relation to import responses, including within the context of its technical assistance activities;
- (c) Organise, subject to the availability of resources, webinars or online consultations with Parties on specific issues related to import responses; and
- (d) Develop, under the guidance of lead members for endorsement by the Committee, for inclusion in the requests for information from the Committee, questions to collect information from Parties on specific challenges being faced.

4. Committee members Helen Roberts and Karmen Krajnc took the lead on these activities as agreed at the abovementioned face-to-face sessions.

5. In its decision CC-2/5 on exports and imports of chemicals listed in Annex III, the Committee also decided to recommend that the Conference of the Parties at its twelfth meeting consider deciding:

- (a) That the Secretariat's technical assistance plan for 2026–2029 emphasis the importance for Parties to receive support to transmit import responses, pursuant to Article 10 of the Convention, and for exporting Parties to ensure that exporters comply with import responses pursuant to Article 11 of the Convention;
- (b) To encourage the United Nations Environment Programme, the Food and Agriculture Organization of the United Nations and other relevant entities, in the context of their activities in support of the technical assistance plan, to organise awareness-raising activities for importing Parties on the submission of import responses in a timely manner and for exporting Parties with ensuring that exporters comply with import responses particularly in communication of responses, and to provide Parties with opportunities to exchange lessons and good practices.

II. Implementation

A. Background

6. Articles 10 and 11 of the Rotterdam Convention set out obligations in relation to imports and exports respectively of chemicals listed in Annex III to the Convention.

7. In relation to imports, pursuant to Article 10, Parties have an obligation to, amongst other things, implement appropriate legislative or administrative measures to ensure timely decisions with respect to the import of chemicals listed in Annex III. Each Party shall also transmit to the Secretariat, as soon as possible, and in any event no later than nine months after the date of dispatch of the decision guidance document, a response concerning the future import of the chemical concerned. Parties also have an obligation to immediately submit a revised response to the Secretariat if they modify their response.

8. Pursuant to Article 10, the response shall consist of either:

- (a) A final decision pursuant to legislative or administrative measures to: consent to import; not to consent to import; or consent to import only subject to specified conditions; or
- (b) An interim response, which may include: an interim decision consenting to import with or without specified conditions, or not consenting to import during the interim period; a statement that a final decision is under active consideration; a request for further information; a request to the Secretariat for assistance in evaluating the chemical.

9. Pursuant to paragraph 3 of Article 10, the Secretariat has a mandate to communicate with and help Parties that have not provided their responses concerning the future import of chemicals. In this context, the Secretariat has developed an import response form and instructions to facilitate the submission of import responses in accordance with the provisions of Article 10 of the Convention.

10. In relation to exports, pursuant to Article 11, each exporting Party shall, among other things, implement appropriate legislative or administrative measures to communicate the responses forwarded

by the Secretariat to those concerned within its jurisdiction; and take appropriate legislative or administrative measures to ensure that exporters within its jurisdiction comply with decisions in each response no later than six months after the date on which the Secretariat first informs the Parties of such response.

11. Paragraph 2 of the same Article 11 sets out that each Party shall ensure that a chemical listed in Annex III is not exported from its territory to any importing Party that, in exceptional circumstances, has failed to transmit a response or has transmitted an interim response that does not contain an interim decision, unless the conditions set out therein are met.

B. Actions following the face-to-face sessions of second meeting

12. Following the development of the questions to collect information as requested in decision CC-2/5, the Secretariat circulated on 19 July 2024 a communication to all Parties with an invitation to respond to the questions to collect information, including on export notifications. A reminder was also transmitted to all Parties on 21 August 2024 by email. As at August 2024, responses were received from 58 Parties (31 States and 1 regional economic integration organization on behalf of its member states) and have been made available on the Convention website.²

13. The Secretariat also organised two online consultations to collect information from:

(a) Importing Parties on challenges that they may be facing related to the transmission of import responses in accordance with Article 10 to the Convention (10 July 2024); and

(b) Exporting Parties to identify and communicate to the Compliance Committee through the Secretariat challenges being faced with ensuring that exporters within their jurisdiction in accordance with Article 11 to the Convention (12 July 2024).

14. The webinars presented the Compliance Committee, its mandate and activities; Parties' obligations, the relevant procedures and tools available to assist them; and then provided an opportunity for an exchange between participants on challenges being faced. The webinars were attended by 23 Parties representatives from 14 states and 1 regional economic integration organisation in the Africa, Asia, Europe and Latin America and Caribbean regions.

C. Importing Parties

1. Information transmitted by Parties regarding implementation of the Convention

15. Decision RC-11/1 on the Status of implementation adopted by the eleventh meeting of the Conference of the Parties, among other things, encouraged Parties to ensure the effective operation of the Rotterdam Convention, in particular Articles 5, 6 and 10, by submitting among other things, import responses for listed chemicals.

16. The Secretariat regularly receives import responses from Parties in accordance with Article 10, which are made available on the Convention website within a database of import responses³ and as part of the country profiles.⁴ As of 18 August 2024, 55 chemicals were listed in Annex III, of which 36 in the pesticide category (including 3 severely hazardous pesticide formulations), 18 industrial chemicals, and 1 chemical in both categories. The most recent amendment to list terbufos in Annex III entered into force on 22 October 2023 and Parties were required to transmit their import responses by 21 July 2024.⁵

17. The status of transmission of import responses pursuant to Article 10 and developments as at 18 August 2024 include:

(a) The majority of Parties have transmitted at least one import response for chemicals listed in Annex III and this number has increased slightly since the first meeting of the Compliance Committee;

(b) Only a minority of Parties have transmitted import responses for all the chemicals listed in Annex III;

²

<https://www.pic.int/Implementation/Legalmatters/GeneralIssuesActivities/Activities20242025/Questionstocollectinformation/tabid/10008/language/en-US/Default.aspx>.

³ <http://www.pic.int/Procedures/ImportResponses/Database/tabid/1370/language/en-US/Default.aspx>.

⁴ <http://www.pic.int/Countries/CountryProfiles/tabid/1087/language/en-US/Default.aspx>.

⁵ <https://www.pic.int/TheConvention/Chemicals/AnnexIIIChemicals>.

(c) There are regional differences between the rates of transmission of import responses for Parties in each of the prior informed consent regions and particularly when considering whether Parties have submitted interim responses or final decisions;

(d) More import responses have been submitted for pesticides compared to industrial chemicals although there has been an improvement in transmission rates for the latter category since the first meeting of the Committee, so this gap is now less marked;

(e) There is a low transmission rate for the most recently included chemicals in Annex III as well as amongst those that have become Parties since 2020.

18. In order to identify and inform the Committee about possible challenges being faced by Parties in submitting import responses, the following paragraphs review the information contained in imports responses from Parties, the information transmitted by Parties to the Secretariat on their needs for technical assistance and technology transfer, and their difficulties in implementing the Convention, and any information received from Parties that have yet to transmit an import response.

2. Information contained in import responses

19. Systemic issues of general compliance related to Articles 10 and 11 were considered at the first meeting of Compliance Committee, including information on the status of submission of import responses as at 31 October 2020.⁶ Developments that occurred since that date and as of 31 October 2023 are summarized in the paragraphs below.

20. An additional 613 import responses have been received and disseminated in the period examined (bringing the new total to 7,166).⁷ At the time of the report to the first meeting of the Compliance Committee,⁸ 154 Parties had transmitted at least one import response, which had increased to 156 Parties as at 30 October 2023, meaning an additional two Parties that had previously never submitted import responses have now transmitted import responses.⁹ This now leaves eight Parties that have not yet transmitted any import responses. There appear to be marked challenges in transmitting import responses amongst new Parties. Although most new Parties have transmitted at least one import response, there is a low response rate amongst those who have become Parties to the Rotterdam Convention since 2020.

21. A slight increase can be observed in the overall import response rate since the report to the first meeting of the Compliance Committee, with the rate at 78% of the required import responses having been transmitted as at 31 October 2023. There nonetheless remains a proportion of Parties that have yet to transmit import responses for all chemicals listed in Annex III to the Convention, and 22% of import responses have yet to be transmitted. The Parties in the prior informed consent (PIC) regions of Africa, Asia, Europe, and the Near East were able to slightly increase their import response rates. The Latin America and the Caribbean and the Near East are now the PIC regions with the lowest import response rates. Meanwhile, Africa has the highest share of interim responses (as opposed to final decisions).¹⁰ Interim responses as a share of total responses submitted by Parties in each PIC region make up approximately: 25% for Africa; 10% for Asia; 4% for Europe; 11% for Latin America and the Caribbean; 2% for the Near East, none for North America; and 6% for the Southwest Pacific.

22. A difference has also been noted in the rates of transmission of import responses for industrial chemicals compared to pesticides. The import response rate for industrial chemicals at 28 % remains significantly lower than that for pesticides at 72 %.¹¹ However, since the initial report to the Committee,¹² while the response rate remained largely stable for pesticides, it increased significantly for industrial chemicals (by approximately 6 %), which has resulted in a less marked gap between the response rates for import responses between the categories of chemicals.¹³

23. The expiration of the deadline for transmission of import responses for some of the most recently listed chemicals in Annex III (decabromodiphenyl ether and PFOA) may provide insights into

⁶ UNEP/FAO/RC/CC.1/5.

⁷ <https://www.brsmeas.org/tabid/8248>.

⁸ 31 October 2020 as reflected in document UNEP/FAO/RC/CC.1/5.

⁹ <https://www.brsmeas.org/tabid/8248>.

¹⁰ <https://www.brsmeas.org/tabid/8248>.

¹¹ <https://www.brsmeas.org/tabid/8248>.

¹² See footnote 8 above.

¹³ <https://www.brsmeas.org/tabid/8248>.

the current challenges faced by Parties to transmit import responses. As of 31 October 2023,¹⁴ there were 165 Parties to the Convention,¹⁵ of which:

- (a) 48 Parties had transmitted import responses pursuant to Article 10 for PFOA;
- (b) 49 Parties transmitted import responses pursuant to Article 10 for decabromodiphenyl ether.

meaning the vast majority (approximately 70%) of Parties had yet to transmit an import response, five months after the expiry of the deadline in paragraph 2 of Article 10. This delay could indicate another challenge being faced by Parties in their transmission of import responses.

24. Section 5 of the import response form provides an opportunity for Parties to request information or assistance in order to reach a final decision. Specifically, Parties can (a) request additional information from the Secretariat; (b) request additional information from the Party that notified the final regulatory action; and (c) request assistance from the Secretariat in evaluating the chemical. An analysis of import responses where Parties have made such requests may help in identifying underlying challenges faced with regard to import responses, in particular in arriving at a final decision.

25. In the period studied, namely between 30 October 2020 and 30 October 2023, nine Parties requested additional information and/or expressed a need for technical assistance with regards to the development of appropriate legislative or administrative measures, undertaking risk and socio-economic evaluations, and information on alternatives for the chemical in question. Such requests can be understood as reflecting the challenges faced by Parties in having sufficient information about the chemical in terms of its potential risks to human health and environment, socio-economic implications and its alternatives, as well as a lack of capacity to develop appropriate legislative or administrative measures.

26. The majority of requests for information or assistance transmitted using section 5 of the import response form were received from Parties in the Africa PIC region. This may indicate a particular need for assistance within this region, also bearing in mind the high rates of interim import responses submitted by Parties as mentioned in paragraph 15 above.

3. Information transmitted by Parties through the needs assessment questionnaire

27. By its decision RC-9/8, the Conference of the Parties at its ninth meeting invited developing country Parties and Parties with economies in transition to provide information to the Secretariat on their needs for technical assistance and technology transfer, and their difficulties in implementing the Convention. The information received from Parties in response to the Secretariat's need assessment questionnaire may also provide insights into potential challenges faced by importing Parties with transmitting import responses.¹⁶ It is important to bear in mind though that the responses may not represent a full picture of the challenges being faced by Parties due to the uneven geographical spread of responses to the technical assistance needs questionnaire.¹⁷ The information collected for the year 2019 on technical assistance needs assessment identified:

- (a) "Submission of import responses for Annex III chemicals (pesticides)" as the lowest priority, namely 5 out of 60 respondents corresponding to 8% of respondents, for needs and areas for technical assistance (not counting the responses "other" and "none of the above"). A higher number of Parties, namely 13 of 60, corresponding to 22% of respondents, identified this as a priority in relation to industrial chemicals. These responses may indicate a need for awareness-raising about the importance for the functioning of the PIC procedure of the obligation to transmit import responses. The lower response rate of import responses for industrial chemicals would be consistent with a need for additional assistance to Parties in relation to this category of chemicals;
- (b) "Taking appropriate legal or administrative measures to ensure timely decisions with respect to import of chemicals listed in Annex III, including transmission of responses to the

¹⁴ This includes import responses transmitted by the European Union, on behalf of its 27 Member States that are Parties to the Convention.

¹⁵ Including Grenada, which became a Party on 15 October 2021, after the first meeting of the Committee and increasing the number of Parties from 164 to 165.

¹⁶ <https://www.brsmeas.org/Implementation/TechnicalAssistance/NeedsAssessment/tabid/4898/language/en-GB/Default.aspx>.

¹⁷ See the full analysis for further details of the geographical spread of responses, of the 60 participants, 33.33% were from Africa region, 26.67% were from the Asia region, 11.67% from the Eastern Europe region and 28.33% from the Latin America and the Caribbean region: <https://www.brsmeas.org/Resources/Shared/scripts/appTADB/RC-2020-needs-report.html>.

Secretariat” as a higher priority for needs and areas for technical assistance, with 21 of 60, corresponding to 35% of respondents, indicating in their responses that they face challenges and indicating the need for technical assistance. This response rate is relatively high, contrasting with the lower response rate noted under paragraph (a) above.

4. Information from communications with Parties yet to transmit any import responses

28. In follow up to decision CC-1/4, the Secretariat contacted the Parties that had yet to transmit any import responses for the chemicals listed in Annex III by means of a letter transmitted on 22 September 2023, namely: Afghanistan, Djibouti, Grenada, Marshall Islands, Namibia, Saint Vincent and the Grenadines, Sierra Leone, Somalia and Tuvalu.

29. No responses were received to this call for information on challenges being faced with transmitting import responses in accordance with Article 10, however, subsequent to this communication one Party, Namibia, transmitted import responses to the Secretariat.¹⁸

30. Subsequent to the face-to-face sessions of the second meeting of the Committee, on 5 July 2024, the Secretariat transmitted once more the invitation from the Compliance Committee to the Parties that at such time had yet to transmit any import responses for the chemicals listed in Annex III. No further information was received from those Parties in response to the letters communicated by the Secretariat on behalf of the Committee.

5. Information transmitted by Parties in response to questions to collect information and during online consultation

31. The responses¹⁹ to the questions to collect information developed by the Committee in furtherance to the face-to-face sessions of its second meeting indicate that the majority of Parties have not faced challenges in relation to either the preparation of import responses (49 of 58 responding Parties) or the submission of import responses (50 of 58 responding Parties). Seven Parties reported facing problems in relation to the preparation of import responses and seven Parties also reported facing problems in relation to the submission of import responses to the Secretariat.

32. In response to the request for further information on what may assist in overcoming any challenges being faced:

- (a) Seven Parties indicated information on the hazards or risks posed by the chemical;
- (b) Six Parties indicated improved coordination and cooperation between national stakeholders;
- (c) Six Parties indicated information domestic production and/or use of the chemical;
- (d) Six Parties indicated financial considerations;
- (e) Five Parties in each case, indicated that legislative or administrative measures and specialist technical and/or other expertise in chemicals management would assist;
- (f) Four Parties indicated challenges with awareness of the Rotterdam Convention at the national level.

33. The majority of responding Parties, 49 of 58 responding Parties, also indicated that they have communicated import responses to those concerned within the jurisdiction.

34. One Party added that capacity building on chemical management and experience sharing from other Parties on how they overcame challenges would also assist them.

35. At the online consultation with Parties held on 10 July 2024 on challenges being faced with the transmission of import responses, all participants confirmed that their Parties had put in place some legislative and administrative measures to implement the Convention, and participants exchanged their experiences about the different models used. The main challenge identified related to cooperation and coordination between the relevant stakeholders, in particular to ensure the transmission of information for implementation of the Convention. One participant said the submission of import responses for pesticides was often easier than for industrial chemicals. Another participant stressed the lack of national legislation as posing difficulties. The same participant noted that the decision guidance

¹⁸ Namibia transmitted 14 import responses to the Secretariat; see <https://www.pic.int/Procedures/ImportResponses/Database/tabid/1370/language/en-US/Default.aspx>.

¹⁹ The responses are available at: <https://www.pic.int/Implementation/LegalMatters/GeneralIssuesActivities/Activities20242025/Questionstocollectinformation/tabid/10008/language/en-US/Default.aspx>

documents were very useful in the preparation of import responses and highlighted the value of multi-stakeholder consultations in this context. Participants also shared experiences of certain technical assistance and capacity building activities from which they had benefited, emphasising the need to continue such activities.

D. Exporting Parties

1. Information transmitted by Parties regarding implementation of the Convention

36. There are a number of potential sources of information about Parties' implementation of Article 11, including requests from Parties for technical assistance; the collection of texts of national legislation and other measures adopted by Parties to implement the Convention; the technical assistance needs assessment questionnaire previously referred to, and the information from the questionnaire on the implementation of Articles 11, 12, 13 and 14 of the Rotterdam Convention.

37. There is however no mechanism to systematically collect information specifically relating to the challenges faced by exporting Parties in ensuring that exporters within their jurisdiction comply with the import responses no later than six months after these are communicated by the Secretariat to Parties.

2. Information from requests for technical assistance

38. As indicated at the first meeting of the Committee,²⁰ requests for technical assistance may include information about challenges with implementation, however this is received on an ad hoc basis and of a more holistic nature, relating to trade controls on both imports and exports.

3. Collection of texts of legislative and administrative measures to implement the Convention

39. The Secretariat continues to maintain on the Rotterdam Convention website a collection of texts of national legislation and other measures adopted by Parties to implement the Convention. The collection may include information on administrative or legislative measures adopted by exporting Parties in accordance with paragraph 1 of Article 11. Further information on this matter is contained in document UNEP/FAO/RC/CC.2/4/Rev.1.

4. Information from the technical assistance needs assessment questionnaire

40. Similar to the challenges faced by importing Parties, the technical assistance needs assessment could identify areas in which exporting Parties face challenges and require technical assistance to implement appropriate legal and administrative measures to implement the Convention pursuant to Article 11. As mentioned above, it is important to bear in mind though that the responses may not represent a full picture of the challenges being faced by Parties due to the uneven geographical spread of responses to the technical assistance needs questionnaire. The information collected for the year 2019²¹ identified the following needs:

(a) "Setting up appropriate legal or administrative measures to communicate the responses forwarded by the Secretariat in relation to the import of chemicals listed in Annex III to those concerned, e.g. importers and exporters", was the third highest priority area, selected by 24 out of 60, corresponding to 40% of respondents;

(b) The least selected response in the needs assessment (14 out of 60 corresponding to 23% of respondents, apart from the options "other" and "none of the above") was for assistance "For exporting Parties, taking appropriate legal or administrative measures to ensure that exporters within your jurisdiction are aware of and comply with import responses". This could indicate a challenge being faced by a number of Parties, although the low response rate to the questionnaire means the needs assessment may not be representative of Parties' needs;

(c) Though there are limitation in drawing conclusions solely on the basis of the responses to the needs assessment questionnaire, the information transmitted could be indicative of challenges being faced by some exporting Parties related to communication of import responses to exporters, rather than in ensuring compliance with those responses once communication is effected.

²⁰ Document UNEP/FAO/RC/CC.1/5.

²¹ To which 60 Parties responded.

5. Information from the questionnaire on the implementation of Articles 11, 12, 13 and 14 of the Rotterdam Convention

41. The Conference of the Parties has periodically encouraged Parties to provide information on their implementation of Articles 11, 12, 13 and 14 of the Convention by submitting responses to the periodic questionnaire on the implementation of those articles. In response to decision RC-11/1 on Status of implementation adopted by the eleventh meeting of the Conference of the Parties, 38 Parties responded to the questionnaire for the year 2020, including responses transmitted by the European Union on behalf of its 27 Member States that are Parties to the Convention. 55 Parties responded to the questionnaire for the year 2021, including responses transmitted by the European Union on behalf of its 27 Member States that are Parties to the Convention. The results of the 2020 questionnaire are set out in document UNEP/FAO/RC/COP.11/INF/7/Add.2. Subsequent results continue to be compiled by the Secretariat for consideration by the Conference of the Parties. These relate to various different obligations of exporting Parties pursuant to Articles 11, 12, 13 and 14 of the Convention.

42. On the question of implementation of appropriate legislative and administrative measures, 29 of 38, corresponding to 76% of Parties responding to the questionnaire on the implementation of Articles 11, 12, 13 and 14 of the Rotterdam Convention for 2020 and 38 of 55, corresponding to 69% of respondents for 2021 indicated that they have implemented legislative or administrative measures to ensure that exporters within their jurisdictions comply with the decisions in each response within the 6 months deadline after the information is shared by the Secretariat. Furthermore, 58% of responding Parties for both years (2020 and 2021) reported having adopted other measures to communicate, raise awareness and increase compliance with import responses for chemicals listed in Annex III.

43. Additionally, 53% of respondents in both 2020 and in 2021 confirmed having implemented procedures for the control of exports of Annex III chemicals in their jurisdictions. Those Parties responding positively also provided information on their procedures established to implement paragraph 2 of Article 11. 34% of the responding Parties in both 2020 and 2021 considered as having implemented the exceptional procedures indicated under paragraph 2 of Article 11 including the 1-year period as the basis for exporting Annex III chemicals. 21% of the responding Parties in 2020 and 26% in 2021 indicated that these procedures continued to be applied after the expiration of the one-year period. Another important element to consider is that most of the responding Parties 74% in 2020 and 62% in 2021 responded that their Parties do not export chemicals listed in Annex III.

6. Information transmitted by Parties in response to questions to collect information and during online consultation

44. The responses to the questions to collect information developed by the Committee in furtherance to the face-to-face sessions of its second meeting indicate more challenges being faced by Parties in relation to exports than to imports of chemicals listed in Annex III.

45. 11 of 58 responding Parties responded having faced challenges related to ensuring exporters within the jurisdiction comply with the import responses transmitted by other Parties. Whilst eight Parties reported facing challenges related to communicating import responses transmitted by other Parties to those concerned within the jurisdiction.

46. To address the challenges faced:

(a) 12 Parties identified the need for improved communication channels for information exchange;

(b) 11 Parties identified the need for improved coordination and cooperation between national stakeholders;

(c) 6 Parties identified the need for legislative or administrative measures; and

(d) 3 Parties identified the need for improved respect for the measures by exporters or illegal trade in chemicals.

Consequently, it would seem that further information on channels for information exchange and coordination and cooperation are the main needs for Parties.

47. One Party mentioned that there were specific challenges in relation to industrial chemicals, whilst three Parties indicated that they do not export chemicals or have few exports of chemicals falling within the scope of Annex III to the Rotterdam Convention.

48. The needs highlighted through the response to the questions to collect information were also communicated in the discussions during the online consultations, where a number of participants voiced that they are facing challenges with communications, information exchange and coordination in

particular involving customs and exporters. The online consultation also provided an opportunity for participants to exchange ideas about the different mechanisms that had been established in their countries for the purpose of information exchange and coordination between different stakeholders.

E. Steps currently being taken to support Parties

49. In addition to information on the challenges being faced by importing and exporting Parties, it could be of assistance to consider the level of assistance currently available to Parties from the Secretariat, other Parties and more generally from other stakeholders. This is particularly pertinent given that a number of Parties highlighted in their responses to the questions to collect information the importance of receipt of technical assistance and capacity building activities.

1. Information from the questionnaire on the implementation of Articles 11, 12, 13 and 14 of the Rotterdam Convention

50. Exporting Parties also have an obligation, pursuant to paragraph 4 of Article 10 and paragraph 2(c) of Article 11, to advise and assist importing Parties, upon request and as appropriate. 53% of the Parties responding to the questionnaire in 2020, and 51% of those in 2021 have established mechanisms to systematically respond to requests by importing Parties for advice and assistance, specifying that the mechanisms pertained to obtaining further information to help importing Parties to take appropriate action in accordance with paragraph 4 of Article 10 and paragraph 2(c) of Article 11. Most responses²² indicated that the mechanism pertained to strengthening the capacities and capabilities of importing Parties to manage chemicals safely through their life cycle.

2. Information from the technical assistance plan for the period 2022–2025

51. The report on the implementation of the technical assistance plan for the period 2022–2025 in the biennium 2022–2023 is available as UNEP/FAO/RC/COP.11/INF/17. This provides an overview of the assistance available to Parties, in particular to importing Parties to support their efforts to submit import responses.

52. The Secretariat continues to provide assistance and advice to Parties upon request in relation to import responses, including within the context of technical assistance activities. This includes: targeted online and face-to-face trainings on specific issues; responses to queries on an ad hoc basis; provision of examples of completed import response forms; and provision of previous notification forms transmitted to the Secretariat by the Party (such as to a newly designated national authority). A database of technical assistance and capacity building activities, as well as a collection of publications and e-tools is available on the Rotterdam Convention website.

III. Proposed action

53. The Committee may wish to recall its decision CC-2/5 and agree to include further work on this issue within the draft programme of work for the biennium 2026–2027 that it be entrusted to:

(a) Compile and make available to Parties examples of communication channels for information exchange related to international trade in chemicals listed in Annex III and mechanisms for coordination and cooperation between national stakeholders;

(b) Undertake further work to identify challenges being faced by importing Parties with submitting import responses;

(c) Undertake further work to identify challenges being faced by exporting Parties with ensuring that exporters within their jurisdiction comply with import responses;

(d) Develop recommendations for consideration by the Conference of the Parties on steps that could be taken by Parties, the Conference of the Parties, the Compliance Committee and others to support importing Parties in submitting import responses and exporting Parties with ensuring that exporters within their jurisdiction comply with import responses.

²² 14 of 20 responses in 2020; 20 of 28 responses in 2021.