

## RC-9/1: Status of implementation of the Convention

### *The Conference of the Parties*

1. *Takes note* of the information provided on the status of implementation of the Rotterdam Convention on the Prior Informed Consent Procedure for Certain Hazardous Chemicals and Pesticides in International Trade;

2. *Encourages* Parties:

(a) To adopt, as soon as possible, a national definition for the term “pesticide”, should they not yet have done so, asking the Secretariat for technical assistance should they face challenges in so doing, and reminding Parties of the availability of a definition of that term in the *International Code of Conduct on Pesticide Management*;

(b) To communicate the national definition for the term “pesticide” to the Secretariat;

(c) To take into account differences among Parties in the definition of the term “pesticide” in their communication with other Parties through export notifications and import responses;

(d) To ensure the effective operation of the Rotterdam Convention, in particular Articles 5, 6 and 10, by submitting notifications of final regulatory action, proposals for listing severely hazardous pesticide formulations and import responses for listed chemicals;

(e) To use the final regulatory action evaluation toolkit, the toolbox for decision-making in chemicals management of the Inter-Organization Programme for the Sound Management of Chemicals and other relevant tools for national risk evaluation and decision-making, and for the preparation of notifications of final regulatory action;

(f) To provide the Secretariat with information that may assist other Parties to prepare and notify final regulatory actions, including:

(i) Scientific and technical information relevant to risk evaluation and decision-making on hazardous chemicals and pesticides;

(ii) Texts of national legislation and other measures adopted by them to implement and enforce the Convention;

(g) To provide information on their implementation of paragraph 2 of Article 11, and Articles 12 and 14 of the Convention by submitting responses to the periodic questionnaire on the implementation of those articles;

3. *Urges* Parties:

(a) To ensure the effective implementation of Article 11 of the Rotterdam Convention, which is an important contribution to the fight against the illegal trade in chemicals that are subject to the Convention;

(b) To ensure proper implementation of Article 13, in particular the stipulation that a safety data sheet that follows an internationally recognized format be sent to each importer of both chemicals listed in Annex III and chemicals banned or severely restricted in the exporting country’s territory, to be used for occupational purposes, in one or more of the official languages of the importing Party, as far as practicable;

(c) To ensure that the shipping document for an individual chemical or group of chemicals listed in Annex III bears the respective Harmonized System customs code when exported whenever a code has been assigned;

4. *Decides* to adjust the composition of the prior informed consent regions for the purpose of implementation of paragraph 5 of Article 5 of the Rotterdam Convention, as set out in the annex to decision RC-1/2, by:

(a) Adding the State of Palestine to the Near East prior informed consent region;

(b) Adding South Sudan to the Africa prior informed consent region;

5. *Requests* the Secretariat to prepare and maintain a revised list of the composition of the prior informed consent regions, reflecting, as they occur, any changes in the names of Parties, and to make it available on the website of the Rotterdam Convention;

6. *Also requests* the Secretariat to continue to monitor and report to the Conference of the Parties any possible need to change the composition of the prior informed consent regions;

7. *Invites* Parties, non-Parties, industry, civil society and other stakeholders to provide to the Secretariat:

(a) Data on the international trade in chemicals listed or recommended for listing in Annex III to the Rotterdam Convention;

(b) Information on the measurable impact of listing chemicals in Annex III to the Convention;

8. *Requests* the Secretariat:

(a) To continue to collect and make available to Parties and other stakeholders in a user-friendly format the information referred to in paragraphs 2 (f) and 7 of the present decision;

(b) To provide assistance to Parties, subject to the availability of resources, to facilitate the implementation of the Rotterdam Convention, including the submission of import responses;

(c) To provide assistance to Parties, subject to the availability of resources, to facilitate the submission of notifications of final regulatory action and of proposals for the listing of severely hazardous pesticide formulations, including individual assistance to ensure that notifications and proposals meet the information requirements of Annex I or Annex IV, as applicable, to the Convention;

(d) To continue, subject to the availability of resources, to collect and make available to Parties and other stakeholders information on the definition of the term “pesticide” applied by Parties;

(e) To continue, subject to the availability of resources, to implement the provisions of decision RC-7/2 by, inter alia, facilitating the exchange of information and providing assistance to Parties, upon request, in the implementation of paragraph 2 (c) of Article 11, and Articles 12 and 14 of the Convention.