

ROCA - Rotterdam Convention Alliance

*ROCA is an Alliance of Environmental, Labour and Health organizations around the world working
To promote the full and effective implementation of the Rotterdam Convention*



International POPs Elimination Network

ROTTERDAM CONVENTION CONFERENCE OF THE PARTIES, OCTOBER 27- 31, 2008

POSITION PAPER ENDORSED BY ROTTERDAM CONVENTION ALLIANCE (ROCA)

PESTICIDE ACTION NETWORK (PAN)

INTERNATIONAL POPs ELIMINATION NETWORK (IPEN)

1) RESPECT THE SCIENTIFIC PROCESS

The Rotterdam Convention is an important tool to protect human health and the environment by controlling trade in hazardous chemicals and pesticides that meet the requirements of the Convention.

The Chemical Review Committee plays a critical role by ensuring that the review mechanism of the Convention is used objectively and that science is the cornerstone of the review process.

If the recommendations of the Chemical Review Committee are obstructed, the Convention will fail in achieving its mandate. Instead of being based on science, public health decisions will be based on political expediency.

*** WE CALL ON ALL PARTIES TO RESPECT THE SCIENTIFIC PROCESS OF THE CONVENTION AND TO APPROVE THE RECOMMENDATIONS OF THE CHEMICAL REVIEW COMMITTEE TO LIST CHRYSOTILE ASBESTOS, TRIBUTYLTIN AND ENDOSULFAN UNDER ANNEX III.**

2) RESPECT THE EFFECTIVE IMPLEMENTATION OF THE CONVENTION

The Rules of Procedure for the Convention have been adopted in their entirety except for the second sentence of paragraph 1 of rule 45, which allows decisions on substantive matters to be made by consensus or by two-thirds majority vote. Square brackets were placed around that sentence as a temporary measure.

Voting should only be considered as a last resort when all efforts at consensus have failed. In practice, the presence of a voting clause provides a strong incentive to reach consensus. However if these efforts fail, it is very important to retain a voting procedure so that international action can proceed on important matters of substance.

It is unacceptable for a tiny number of Parties, who have a commercial interest in a particular hazardous chemical or pesticide, to take advantage of the brackets so as to hold the Convention hostage by refusing to cooperate with the scientific process of the Convention and the will of the overwhelming majority of Parties

It is time to remove those brackets so that the Convention may be effectively implemented without improper obstruction. A tiny number of Parties should not wield a veto over the Convention.

*** WE CALL ON ALL PARTIES TO SUPPORT THE REMOVAL OF THE SQUARE BRACKETS AROUND THE SECOND SENTENCE OF PARAGRAPH 1 OF RULE 45 SO AS TO ALLOW DECISIONS TO BE TAKEN BY TWO-THIRDS MAJORITY VOTE, WHEN CONSENSUS CANNOT BE REACHED, AND THUS ALLOW THE CONVENTION TO BE EFFECTIVELY IMPLEMENTED, AS INTENDED.**

3) RESPECT THE SOVEREIGN RIGHT OF COUNTRIES TO UTILIZE THE PRIOR INFORMED CONSENT PROCEDURE

When a hazardous chemical or pesticide is listed under Annex III, Parties have the sovereign right to utilize the Prior Informed Consent procedure. Parties can control, as they see fit, the import into their country of listed hazardous chemicals and pesticides. It is their decision and their right. No-one should deny Parties that right.

It is inappropriate for a small handful of countries to obstruct the recommendation of the Chemical Review Committee for listing of a chemical or pesticide under Annex III, thus eliminating the right of other Parties to avail themselves of the Prior Informed Consent procedure to protect the health of their citizens.

*** WE CALL ON ALL PARTIES TO RESPECT THE SOVEREIGN RIGHT OF EVERY PARTY TO ACCESS THE PRIOR INFORMED CONSENT PROCEDURE REGARDING HAZARDOUS CHEMICALS AND PESTICIDES THAT THE CHEMICAL REVIEW COMMITTEE HAS RECOMMENDED BE LISTED UNDER ANNEX III.**

4) RESPECT THE RIGHT OF COUNTRIES TO CONTROL THEIR BORDERS

The Rotterdam Convention provides Parties with a legally binding right to Prior Informed Consent before hazardous chemicals and pesticides, listed under Annex III, can be transported across their border by another Party.

The Convention upholds the right of countries to control their own borders. It recognizes that a country's knowledge and prior informed consent with regard to import of extremely hazardous chemicals and pesticides are essential to their exercising that right. No country should deny another country the right to control its own borders.

*** WE CALL ON ALL PARTIES TO RESPECT THE RIGHT OF COUNTRIES TO CONTROL THEIR OWN BORDERS WITH REGARD TO IMPORT OF HAZARDOUS CHEMICALS AND PESTICIDES, WHICH HAVE BEEN RECOMMENDED FOR LISTING UNDER ANNEX III BY THE CHEMICAL REVIEW COMMITTEE.**

5) RESPECT ENVIRONMENTAL JUSTICE

The Rotterdam Convention is based on the principle of environmental justice.

Increasingly, hazardous chemicals and pesticides that are banned or severely restricted in industrialized countries are being shipped to developing countries or countries with economies in transition, where resources to safely monitor and manage these dangerous substances are often lacking or nonexistent.

The Rotterdam Convention addresses this inequality in exposure to environmental and human risk by empowering countries with the right to Prior Informed Consent.

All Parties to the Convention have a legal and moral obligation to support the right to Prior Informed Consent in the Convention as an important tool for overcoming the widening gap.

*** WE CALL ON ALL PARTIES AT COP4 TO RESPECT THE PRINCIPLE OF ENVIRONMENTAL JUSTICE AND TO ALLOW THE RECOMMENDATIONS OF THE CHEMICAL REVIEW COMMITTEE TO GO FORWARD WITHOUT POLITICAL OBSTRUCTION.**

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