

Rotterdam Convention, Objectives, PIC Procedure, Annexes & COP

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The Rotterdam Convention is an international agreement that helps countries stay informed and make safe decisions about trading hazardous chemicals and pesticides. It was adopted in 1998 and came into force in 2004.

About Rotterdam Convention

- The Rotterdam Convention was **officially adopted on 10 September 1998** in the **Netherlands** and became **legally effective on 24 February 2004**.
- The main idea behind the Convention is to **protect people and the environment from dangerous chemicals** by promoting **shared responsibility among countries**.
- It encourages countries to **work together and share information** about hazardous chemicals so that risks can be reduced.
- It also **helps countries make informed decisions** about whether they want to allow or restrict the import of certain harmful chemicals.
- A key feature of the Convention is the **Prior Informed Consent (PIC) procedure**, which is **legally binding** and ensures that **no hazardous chemical is exported without the knowledge and approval of the**

importing country.

- This PIC system was **earlier voluntary** (started by **UNEP** and **FAO** in 1989) but later became **legally binding under the Convention**.

Rotterdam Convention Major Provisions

- The Convention mainly **covers hazardous pesticides and industrial chemicals** that have been **banned or restricted** due to health or environmental concerns.
- A chemical is considered for control under the Convention **when at least two countries from different regions report concerns**, after which it may be added to **Annex III**.
- It also includes **highly dangerous pesticide formulations**, especially those causing problems in developing countries.
- Once a chemical is listed in Annex III, a **Decision Guidance Document (DGD) is prepared**, which explains the **risks and reasons for restriction**.
- All countries are then given **9 months to decide whether they will allow, restrict, or completely ban** the import of that chemical.
- These decisions must be **fair and non-discriminatory**, meaning the same rules apply to **both imported and locally produced chemicals**.
- After a country makes its decision, **it is shared with all other countries, and exporting countries must respect and follow that decision**.
- **Information Sharing and Responsibilities**
 - **Countries must inform others** when they ban or restrict a chemical within their own territory.
 - **Developing countries can also report problems** they face due to hazardous pesticide use under local conditions.
 - If a country plans to **export a banned or restricted chemical, it must inform the importing country in advance**, before the first shipment and then regularly every year.
 - Exporters must provide **updated safety data sheets**, especially when chemicals are used for occupational purposes.
 - **Proper labelling of chemicals is mandatory**, especially for those under the PIC system or those banned/restricted in the exporting country.
- **Import Decision Power: Countries have the right to decide whether to allow or ban** import of listed hazardous chemicals under the Convention.
- **Exporting Country Responsibility:** Exporting countries must ensure that **companies in their jurisdiction follow Convention rules** while exporting hazardous chemicals.
- **Coverage of Chemicals:** The Convention covers industrial chemicals, pesticides, and biocides (for example: benzene, chloroform, atrazine, permethrin).
- **EU Implementation (PIC Regulation):** The European Union implements this Convention through the PIC Regulation, which controls export and import of banned or restricted chemicals.
- **Key Requirements under PIC Regulation:** Export of hazardous chemicals involves two main steps: export notification and explicit consent from the importing country.

Rotterdam Convention History of Negotiations

- **Rising Concern:** Over the past few decades, the rapid increase in production and trade of chemicals created serious concerns about their harmful effects, especially in countries that lacked proper systems to monitor their use.
- **Vulnerability of Developing Countries:** Countries with **weak infrastructure were more at risk** because they could not properly control or assess the dangers of imported hazardous chemicals and pesticides.
- **Early International Efforts:** To address this issue, **UNEP and FAO started voluntary information-sharing programmes in the mid-1980s** to help countries stay informed.
- **FAO Initiative (1985):** FAO introduced the International Code of Conduct on the Distribution and Use of Pesticides to guide safer handling and use.
- **UNEP Initiative (1987):** UNEP created the **London Guidelines** to promote the exchange of information on chemicals in international trade.
- **Introduction of PIC (1989):** In 1989, both organizations jointly introduced the voluntary **Prior Informed Consent (PIC) procedure** to ensure countries receive proper information before importing hazardous chemicals.
- **Need for Stronger Rules:** Although helpful, these **measures were voluntary**, and countries realized the need for a legally binding system.
- **Rio Earth Summit (1992):** At the **Earth Summit in Brazil**, countries agreed under **Agenda 21** that a **binding international agreement on PIC** should be developed by the year 2000.
- **Start of Formal Negotiations:** Following this, FAO in 1994 and UNEP in 1995 officially began the process to negotiate a global treaty.
- **Adoption of Convention (1998):** The final text of the Rotterdam Convention was adopted and opened for signature on 10 September 1998 in Rotterdam.
- **National Authorities Setup:** During the interim period, more than 170 countries appointed around 265 designated national authorities to manage and implement the Convention's processes.
- **Entry into Force (2004):** The Convention officially came into force on 24 February 2004, making its rules **legally binding for all member countries**.

Rotterdam Convention Objectives

- **Shared Responsibility:** Promotes shared responsibility and cooperation among countries in the international trade of hazardous chemicals.
- **Accountability in Trade:** Aims to ensure shared accountability so that trade in dangerous chemicals does not harm human health and the environment.
- **Information Sharing:** Encourages exchange of information on chemical properties to help countries make informed decisions.
- **Safe and Sustainable Use:** Promotes the environmentally sound and safe use of hazardous chemicals.

Annex III Chemicals and Chemical Review Committee (CRC)

- **Annex III Chemicals:** Annex III contains a **list of chemicals that are considered harmful to human health or the environment** and are therefore controlled under the **Prior Informed Consent (PIC)**

procedure.

- **Types of Chemicals Listed:** The list includes **pesticides and industrial chemicals** that have been banned or severely restricted by at least two countries. At present, there are **57 chemicals, including 38 pesticides, 18 industrial chemicals, and 1 chemical** that falls under both categories.
- **Recent Additions:** New chemicals like **carbosulfan and certain formulations of fenthion were added**, and these rules became effective on 22 October 2025. Countries must respond regarding their import decisions by 21 July 2026.
- **Purpose of PIC Procedure:** The PIC procedure ensures that **countries are informed about hazardous chemicals** before they are imported, allowing them to decide whether to allow or restrict their entry.
- **Role of Chemical Review Committee (CRC):** The CRC is a **group of experts** created under the Rotterdam Convention to examine chemicals and recommend whether they should be added to Annex III.
- **How CRC Members are Chosen:** Members are selected by the Conference of the Parties and include **government-nominated experts from different regions**, ensuring balanced global representation.
- **Working Method of CRC:** The committee tries to **make decisions by consensus**. If agreement is not possible, decisions can be made by a two-thirds majority vote.
- **Process for Listing Chemicals (General Chemicals):** When a country bans or restricts a chemical, it must inform the **Secretariat within 90 days**. If two countries from different regions report the same chemical, the CRC reviews it and may recommend adding it to Annex III.
- **Process for Hazardous Pesticide Formulations:** Developing countries facing problems due to dangerous pesticide formulations can propose their inclusion in Annex III.
- **Verification of Proposals:** The Secretariat verifies the proposal, collects additional information, and shares it with other countries before sending it to the CRC.
- **Final Recommendation:** The CRC reviews all information and recommends whether the chemical or pesticide should be included in Annex III and brought under the PIC procedure.

Rotterdam Convention Members

- **Members:** The Convention currently has **168 Parties (member countries)** with a total of **72 Signatories**.
- **India's Membership:** India became a **Party to the Convention on 24 May 2005**.
- **Entry into Force in India:** The Convention came into effect in India on 22 August 2005.

Rotterdam Convention Conference of the Parties (COP)

- **Conference of the Parties (COP):** The **main governing and decision-making body** of the Rotterdam Convention, established under **Article 18**, and made up of countries that have **accepted, ratified, or acceded to the Convention**.
- **Implementation Role:** The COP guides the implementation of the Convention through decisions taken at its meetings.
- **Review Function:** It reviews and evaluates implementation of the Convention regularly.
- **Chemical Review:** The COP examines chemicals recommended by the Chemical Review Committee (CRC) for inclusion under the Convention.
- **Meeting Frequency:** COP meetings are generally **held every two years**, as per agreed rules.

- **Extraordinary Meetings:** Special meetings can be held when necessary or if requested by at least one-third of the Parties.
- **Continuous Monitoring:** The COP keeps continuous review and evaluation of the Convention's progress.
- **Cooperation:** The COP works with international organizations, intergovernmental bodies, and NGOs.
- **Chemical Review Committee (CRC):** A technical expert body appointed by the COP with balanced geographical representation of developed and developing countries.
- **CRC Decision-Making:** The CRC aims for consensus, but if not possible, decisions are taken by a two-thirds majority vote.
- **Observers:** Organizations like the **United Nations (UN)**, its agencies, the **International Atomic Energy Agency (IAEA)**, and even non-member states can attend as observers.
- **Participation of Other Bodies:** National and international organizations, including NGOs, can also participate as observers unless opposed by one-third of Parties.

Rotterdam Convention Annexes

- **Annex I:** Contains information required for notifications when a country bans or restricts a chemical.
- **Annex II:** Defines criteria for including chemicals in Annex III, based on scientific risk evaluation and national conditions.
- **Annex III:** Lists chemicals that are banned or severely restricted by multiple countries and are officially subject to the PIC procedure. It includes pesticides and industrial chemicals (around 52 chemicals in total).
- **Annex IV:** Provides rules and criteria for listing severely hazardous pesticide formulations (SHPFs) and includes requirements for additional scientific data and risk evaluation.
- **Export Obligations (Articles 12 & 13):** Countries exporting listed chemicals must inform importing countries and provide Safety Data Sheets (SDS) in standard format.

Rotterdam Convention Implementation in India

- **Role of DCPC:** In India, the Department of Chemicals and Petrochemicals (DCPC) handles implementation of PIC-related notifications.
- **Verification Process:** DCPC acts only on signed official notifications (not preliminary or unsigned versions) from the designated national authority.
- **Industrial Use Confirmation:** If a chemical is listed under Annex III, DCPC ensures it is used only for approved industrial purposes and not misused as pesticide or otherwise.
- **Non-Annex III Chemicals:** If a chemical is not listed in Annex III, DCPC informs the European Chemicals Agency (ECHA) that India does not process such notifications under PIC rules.
- **Pesticide Category Handling:** If a chemical is classified as a pesticide under Annex III, the case is forwarded to the Department of Agriculture, Cooperation and Farmers Welfare (DAC&FW) for further action.

Rotterdam Convention Recent Developments

- **Joint Outcome:** The 17th **Basel Convention** COP, 12th Rotterdam Convention COP, and 12th **Stockholm Convention** COP were recently held back-to-back in Geneva. The three COPs emphasized stronger cooperation among environmental conventions to improve global chemical and waste governance.

- Rotterdam COP-12 Key Outcome:
- Added two chemicals to Annex III: **Carbosulfan (pesticide) and Fenthion.**
- Adopted Compliance Committee work programme (2026-2027).
- **Major Issues in Rotterdam Convention**
 - **Failure to List Hazardous Chemicals:** Several dangerous chemicals like methyl bromide, mercury, and chlorpyrifos were delayed from being listed under Annex III.
 - **Weak Coordination:** Some chemicals banned under other conventions (like Stockholm Convention) are still not listed under Rotterdam for information sharing.
 - **Trade vs Environment Conflict:** Producer countries often oppose listing due to trade concerns, even though listing does not ban chemicals but only ensures transparency.
 - **Overlap of Treaties:** Overlapping mandates with conventions like Stockholm, Minamata, and Montreal Protocol sometimes slows decision-making.

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