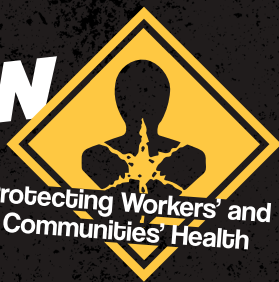


FACT CHECK

**ROTTERDAM CONVENTION COP11 AMENDMENT
PROPOSAL NEW ANNEX VIII**

**RIGHT
TO KNOW**



Protecting Workers' and
Communities' Health



solidar.ch/en/cop11/

FACT 1

The convention is designed for the purpose of information exchange only. There is no provision to oblige Parties or other entities to ban or restrict certain chemicals. This critical information sharing procedure allows Parties to determine for themselves which controls are appropriate for their national context. Listing on the Convention ensures Parties have a 'Right to Know' about the hazardous chemicals that enter their country.

FACT 2

There is a problem.

A tiny minority of Parties have continually blocked the listing of certain hazardous chemicals in Annex III of the Convention, against the wishes of the vast majority of Parties and contrary to the conclusions of the 31 scientists on the Chemical Review Committee. This blocking slows the work of the Convention and prevents Parties from accessing the benefits of the Convention's information sharing processes. This undermines the 'Right to Know' principle and prevents Parties from introducing controls that are appropriate for their national context.

FACT 3

Workers, consumers and the environment in importing countries in the global south suffer most. Blocking the listing of certain hazardous chemicals harms low-income countries the most by denying them valuable information. Those countries that lack resources to determine the risks associated with the use of hazardous substances and the capacity to assess, regulate and manage them, suffer disproportionately.

FACT 4



The proposed amendment at COP11 by a group of Parties, creating an Annex VIII with explicit consent provisions offers a simple solution to the problem. Scan the QR code for more information.

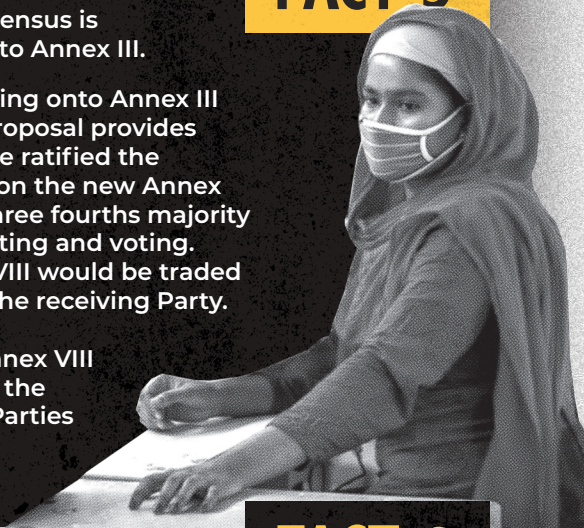
pic.int/TheConvention/Amendments

The consensus principal of the Convention will not be undermined by this proposed solution. With this proposal, consensus is maintained for listing chemicals onto Annex III.

For those chemicals blocked for listing onto Annex III by a small number of Parties, the proposal provides an option for those Parties that have ratified the amendment to list such chemicals on the new Annex VIII either by consensus or with a three fourths majority of those Parties present at the meeting and voting. Chemicals to be listed onto Annex VIII would be traded on the basis of explicit consent by the receiving Party.

All chemicals listed under a new Annex VIII would automatically be included in the agenda of each Conference of the Parties to be considered again for Annex III inclusion.

FACT 5



FACT 6



pan-uk.org

The proposal to create a new Annex VIII at COP11 is not a barrier to trade of produce on which these pesticides are used. There is no evidence that listing a pesticide under Annex III has had a negative impact on the trade of produce on which that pesticide has been used. Quite the opposite. Listing can support Parties that choose to control certain hazardous pesticides in order to protect their growers. Tighter control could also help their growers to access support and/or higher value markets that place limits on pesticide residues or require higher safety / environmental standards of production. **Scan QR code for more information.**

FACT 7

The proposed amendment will not make the Convention overly complicated to administer. There are precedents of other conventions, where certain amendments have been ratified by three fourths of the Parties, or where differences of coverage or time periods or exceptions exist. The Secretariat is equipped and prepared to administer the proposed amendment. The Stockholm Convention for example, allows for Parties to have different time periods for specific exemptions and articles in use. This is routinely managed by the Secretariat and transmitted to all Parties.

FACT 8

The amendment offers benefits to all parties that ratify it, while Parties that do not ratify it will be unaffected by the new provisions. There are clear procedures on how Parties trading a listed chemical respond, depending on their ratification status in regard the amendment. This is explained in the table below.



IMPORTING PARTY

EXPORTING PARTY	IMPORTING PARTY	
	Has ratified the new Annex VIII	Has not ratified the new Annex VIII
Has ratified the new Annex VIII	Importing Party bound by Article 10 Exporting Party bound by Article 11 Outcome: PIC procedure implemented; chemical can be traded if importing Party consents	Importing Party not bound by Article 10 Exporting Party bound by Article 11 Outcome: exporting Party can export in accordance with Article 11, providing it has received explicit consent from the importing non-Party.
Has not ratified the new Annex VIII	Importing Party bound by Article 10 Exporting Party not bound by Article 11 Outcome: the listing process and consequent availability of information through the DGD enables the importing Party to assess potential risks and take action to manage import, through its national legal frameworks and policies.	Importing Party not bound by Article 10 Exporting Party not bound by Article 11 Outcome: Articles 10 and 11 do not apply to the international trade of the chemical.