

Thematic review of the United Nations High Level Political Forum to be held on 9 -18 July 2019

Input by the President of the Conference of the Parties to the Rotterdam Convention

Instruction

In July 2019, the HLPF will discuss the following SDGs together with SDG 17: SDG 4 (Quality education), 8 (Decent work and economic growth), 10 (Reduced inequalities), 13 (Climate change), and 16 (Peaceful societies, justice and strong institutions). The General Assembly also defined the theme of the 2019 July HLPF to be “Empowering people and ensuring inclusiveness and equality”.

Inputs can be in the format best adapted to your intergovernmental body. They do not have to be negotiated outcomes and can be summary of discussions, communication by bureau or other kind of inputs. Your contribution will also be treated as your contribution to the work of the Economic and Social Council. It will thus also be included in ECOSOC Integration Segment in preparation of the HLPF.

Introduction

The Rotterdam Convention on the **Prior Informed Consent Procedure for Certain Hazardous Chemicals and Pesticides in International Trade** was adopted in 1998 and entered into force in 2004. As of February 2019, it has 161 parties and thus its coverage is global. The main objective of the Convention is to promote shared responsibility and cooperative efforts among Parties in the international trade of certain hazardous chemicals in order to protect human health and the environment from potential harm and to contribute to their environmentally sound use.

Its key provisions include (1) a Prior Informed Consent procedure which provides for a national decision-making process on import of hazardous chemicals listed under the Convention and seeks to ensure compliance with these decisions by exporting Parties and (2) exchange of information on a broad range of potentially hazardous chemicals.

The Rotterdam Convention serves as a first line of protection for Parties against the unwanted import of potentially harmful hazardous pesticides and industrial chemicals. The Convention covers 50 pesticides and industrial chemicals that have been banned or severely restricted for health or environmental reasons by Parties and which have been notified by Parties for inclusion in the Prior Informed Consent procedure.

Some insecticides, herbicides and fungicides are vital to modern agriculture, protecting food and other crops from excessive damage by pests and diseases, and protecting human and livestock health from vector-borne diseases. However, pesticides can affect a wide variety of non-target organisms, including beneficial soil microorganisms, decreasing ecosystem resilience and reducing soil fertility, thereby undermining food security. Once used, pesticides accumulate in the air or water or on land, where they can harm non-target species and diminish biodiversity. By contaminating groundwater, lakes, rivers and other bodies of water, pesticides pollute drinking supplies, fish and other resources that are vital for human wellbeing. By polluting soil, they can endanger farmers at work and children at play. Although developing countries use only 25% of the world pesticide production, they experience 99% of deaths due to pesticide exposure¹. Poor people often use severely hazardous pesticide formulations rather than safer alternatives.

Hazardous pesticides have different impact on the life quality of women, men, children and other groups interacting with their health directly and indirectly and with the environment that is surrounding them. Globally in 2013, 3.3 million cases of human poisonings were reported, almost the same as those injured from assaults with firearms (3.6 million)². On a yearly basis, it is estimated that excessive exposure to and inappropriate use of pesticides contribute to poisoning a minimum of 3 million people, especially impoverished rural workers³.

Industrial chemicals are essential to contribute in numerous ways to establish and/or preserve an elevated standard of living in countries at all stages of development. They play an important part in different fields such as healthcare, food production and telecommunications. Under certain conditions, the large-scale production and use of certain chemicals may result in the degradation of our environment and adverse impact to human health and wildlife. Furthermore, while most countries have review and regulatory programmes for pesticides, they lack similar programmes for industrial chemicals, resulting in difficulties for these countries to take informed decisions about the import of industrial chemicals.

While the Rotterdam Convention requires Member States to take actions on the country level to reach its objectives, it also plays an important role for striving toward empowering people and ensuring inclusiveness and equality. The world's poorest 3.5 billion people largely directly rely on the environment for their basic services (water, food, shelter etc.). Protection of health of farmers but also the general public from the use of toxic pesticides and the food safety need to be safeguarded and this is where the Rotterdam Convention plays an important role. Millions of workers and the general public all together are exposed to harmful effects of industrial chemicals and all, rich and poor should be protected from the exposure.

¹ Jeyaratnam, J. (1990) "Acute pesticide poisoning: a major global health problem" World health statistics quarterly. Volume:43 Issue:3 Pages:139-44. More recent data for some countries can be found at WHO (2008) „Acute pesticide poisoning: a proposed classification tool“ Bulletin of the World Health Organisation, vol 86:3..

² Global Burden of Disease Study 2013 Collaborators (2015) "Global, regional, and national incidence, prevalence, and years lived with disability for 301 Acute and chronic diseases and injuries in 188 countries, 1990-2013: a systematic analysis for the Global Burden of Disease Study 2013" The Lancet, Vol. 386, No. 9995, p743-800 (<http://www.thelancet.com/global-burden-of-disease>).

³ Jeyaratnam, J. (1990).

(a) The identification of progress, gaps, areas requiring urgent attention, risks and challenges in achieving the SDGs; and, or in relation to the theme within the area under the purview of your intergovernmental body

There are a number of gaps and challenges faced by Parties related with the implementation of the Rotterdam Convention.

Many developing countries and countries with economies in transition lack national infrastructures and the capacity to assess and manage the risks posed by widely produced and traded hazardous chemicals and to effectively implement the Prior Informed Consent procedure.

In accordance with the 2017 technical assistance needs of developing country parties and parties with economies in transition for the implementation of the Rotterdam Convention, support for custom officers in implementing the Convention was identified as the highest priority for technical assistance for all regions. National coordination and setting up legal and administrative frameworks to implement the provisions of the Rotterdam Convention are viewed as a priority area. The highest challenges for setting up a national coordination mechanism were: coordination among ministries/departments/governmental agencies for the implementation of the Convention, communication among all stakeholders (government, industry, NGOs, academia) for information exchange and dialogue, and coordination for the implementation of the Rotterdam, Basel and Stockholm conventions (synergies at the national level)

In relation to the chemicals listed under the Convention, a clear emphasis was given to identifying and evaluating the need for alternatives. Technical assistance is also required to address the lack of appropriate legal frameworks for the regulation of industrial chemicals.

Last but not least, identifying sustainable funding for the implementation of the Convention is challenging, in particular as the Convention has no dedicated financial mechanism.

(b) Valuable successful experiences and lessons learned on empowering people and ensuring inclusiveness and equality;

There are a number of examples of activities and initiatives aiming to enhance the implementation of the Rotterdam Convention and to ensure that all in developed and developing countries, representing various stakeholder groups are empowered and ensuring inclusiveness and equality.

One of such examples is the gender mainstreaming into the implementation of the Rotterdam, but also Basel⁴ and Stockholm⁵ Conventions. The impact of poor management of hazardous chemicals and wastes on vulnerable groups such as women and young children are significant for human health and the environment. However, empowerment of women and vulnerable groups and their full and effective participation in decision-making with respect to the management of chemicals and wastes lead to positive outcomes.

⁴ Basel Convention on the Control of Transboundary Movements of Hazardous Wastes and their Disposal.

⁵ Stockholm Convention on Persistent Organic Pollutants.

At the meetings of the Conferences of the Parties to the BRS Conventions in 2017, Parties adopted decisions BC-12/20, RC-8/13, SC 8/23 on gender mainstreaming, recognizing that efforts are still needed to ensure that women and men, boys and girls, from all Parties, are equally involved in the implementation of the three conventions and are represented in their bodies and processes, and thus participate in decision-making on gender-responsive hazardous chemicals and waste policies.

Another example is related to multi-stakeholder cooperation initiatives addressing the needs of vulnerable groups in managing hazardous chemicals and wastes. One of them is the partnership project that focuses on sound pesticide management in developing countries to demonstrate the value of cooperation at the global and national levels between the government and the civil society. The project highlighted that much has to be done by governments, the industry and farmers themselves to make family farming safer in the region. Priority areas for action included raised awareness among users of safer alternatives to highly hazardous pesticides, the development of policies that encourage sound pesticide management and farming practice.

In the context of assisting countries in preparing proposals for severely hazardous pesticide formulations while promoting alternatives to hazardous pesticides, another initiative aiming to develop an intervention strategy was undertaken for several small islands developing states. The initiative focused on collecting and analyzing disaggregated data on pesticide use and practices in rural communities with a focus on vulnerable groups (women, children, seasonal workers).

(c) Emerging issues likely to affect inclusiveness and equality at various levels;

The Rotterdam Convention is a living convention as Parties have a possibility to add new chemicals that satisfy specific criteria. There are concerns regarding the repeated situations when the parties could not reach agreement on the listing of chemicals whose listing had been recommended by the Chemical Review Committee, the Convention's scientific subsidiary body.

While the Rotterdam Convention does not constitute a ban on the use and/or production of chemicals some chemical producers consider inclusion under the Rotterdam Convention a "blacklisting" of chemicals and they see their trade volumes decrease. Some are thus reluctant to add new chemicals that are still in trade to the Convention. However, this also prevents countries from receiving vital information on these chemicals and to make informed decisions about their import and export. The Rotterdam Convention Secretariat is collecting and making available on its website information from various sources regarding the impacts of listing of chemicals under the Convention.

(d) An assessment of the situation regarding the principle of "ensuring that no one is left behind" at the global, regional and national levels;

Hazardous pesticides have different impact on the life quality of women, men, children and other vulnerable groups interacting with their health directly and indirectly and with the environment that is surrounding them. More than 90 per cent of sampled water and fish was found to be contaminated by several pesticides and about 3 per cent of exposed agricultural workers suffer

from an episode of acute pesticide poisoning every year⁶. The Rotterdam Convention is therefore supports the principle of “ensuring that no one is left behind” in terms of the protection of all from harmful pesticides and industrial chemicals by encouraging information sharing about hazards posed by specific chemicals so that countries which lack capacity to evaluate impacts of these chemicals on the human health and the environment can also benefit from this body of knowledge and take measures to protect its citizens. On the regional level and national levels, the governments conduct activities in line with the obligations of the Convention which help protect women, men, children.

(e) Areas where political guidance by the high-level political forum is required;

One area would be to consider the overall effectiveness of the Convention, including listing of new chemicals and identifying options for dealing with chemicals that met the Convention’s listing criteria but had not been listed because of the failure to reach consensus. At the eighth meeting of the Conference of the Parties to the Rotterdam Convention in May 2017 Parties decided to establish an inter-sessional working group to develop recommendations for enhancing the effectiveness (decision RC-8/8: Enhancing the effectiveness of the Rotterdam Convention).

In addition, at its eighth meeting, the Conference of the Parties considered proposals to amend Articles 16 and 22 of the Rotterdam Convention, submitted by Botswana, Cameroon, Ghana, Kenya, Lesotho, Malawi, Mozambique, Namibia, Nigeria, South Africa, Swaziland, the United Republic of Tanzania, Zambia and Zimbabwe in the case of Article 16, and by Botswana, Cameroon, Ghana, Kenya, Lesotho, Malawi, Mozambique, Namibia, Nigeria, Swaziland, the United Republic of Tanzania and Zambia in the case of Article 22 on 11 October 2016. Consideration of the agenda sub-item was not completed and will thus be continued at the ninth meeting. The proposals provide for, respectively, the possibility to list new substances in annex III by a three-fourth majority vote of the Parties present and voting at the meeting, if all efforts at consensus have been exhausted and for the provision of technical and financial assistance through the Global Environment Facility so as to enable eligible Parties to take informed decisions to list chemicals.⁷

Another area would be to encourage parties to initiate a policy dialogue on the establishment of compliance procedures which are mandatory under the Convention. Compliance with the Convention is crucial to its success and the establishment of a compliance mechanism that is facilitative in nature rather than punitive will benefit developing countries by providing them with support and advice to implement the Convention (decision RC-7 on Procedures and mechanisms on compliance with the Rotterdam Convention).

Finally, the area in which the political guidance from the High-level Political Forum on Sustainable Development would be important is to encourage the lead ministries and agencies that are tasked with the coordination of the 2030 Agenda for Sustainable Development at the national level to

⁶ UNEP, “Global Environment Outlook -5”, 2012, p.180.

⁷ The proposals are set out in annex I to document UNEP/FAO/RC/COP.9/13/Add.1. An explanatory note from the Parties proposing the amendments may be found in document UNEP/FAO/RC/COP.8/INF/40.

integrate chemicals and wastes management issues into plans and strategies on sustainable development, health, agriculture and other sectors.

(f) Policy recommendations on ways to accelerate progress in empowering people, ensuring inclusiveness and equality, and achieving SDGs.

There are a number of actions within the mandate of the Rotterdam Convention which will support Parties to the Rotterdam Convention in accelerating progress for those affected by toxic chemicals. In light of enhancing coordination and cooperation of the implementation between the Basel, Rotterdam and Stockholm Conventions, some of the recommendations address all three conventions:

- 1) To develop and enhance institutional, legal, and regulatory frameworks for the implementation of the Rotterdam but also Basel and Stockholm conventions, including enforcement.
- 2) To increase efforts of governments and stakeholders towards the coordinated implementation of the Basel, Rotterdam and Stockholm Conventions and SAICM, including through multi-sectoral and multi-stakeholder coordination mechanisms.
- 3) To promote integrated approach to chemicals management by mainstreaming chemicals and wastes issues into plans and strategies on sustainable development, health, agriculture and other sectors.
- 4) To promote the adoption of sound chemicals management corporate policies and practices throughout the value chain, including extended producer responsibility, publicly available information about chemical hazards and risks, green design and best available techniques and best environmental practices, and monitoring of contamination of air, water and land by hazardous chemicals and wastes.
- 6) To maximize efforts for the management of hazardous chemicals and wastes through the regional delivery mechanisms including regional centres under Basel and Stockholm Conventions.
- 7) To provide safe and decent jobs involving chemicals and waste in manufacturing, design, processes and productions, including resources recovery and recycling.
- 8) To invest into research related to alternatives for the use of highly hazardous pesticides and toxic industrial chemicals and take measures for replacing them with safer alternatives.
- 9) To develop and adopt integrated pest management and integrated vector management in national agricultural and public health strategies.
- 10) To take measures towards reducing frequency and severity of chemicals poisoning from household and other products, such as by labeling and sharing information on chemicals in products.