

Questions to collect and exchange information on implementation of the Rotterdam Convention

PART A: LAWS, REGULATIONS, POLICIES, PROCEDURES AND OTHER MEASURES TO IMPLEMENT THE ROTTERDAM CONVENTION

Question 1: Has your country/organization adopted legislative or administrative measures to implement the Rotterdam Convention (Articles 5, 10, 11, 12, 13, 15)?

☐ Yes

Please explain the measure(s), provide a link to the measure(s) and/or attach copy(s) of the measure(s) taken/adopted: *[Text box with option to upload documents]*

Please tick aspects of the Convention's provisions covered by those measures (tick all that apply):

☐ Final regulatory action (Article 5)

- ☐ Preparation and adoption
- ☐ Preparation of notifications and transmission to the Secretariat

☐ Import responses (Article 10)

- ☐ Preparation
- ☐ Transmission to the Secretariat
- ☐ Making your own import responses available to those concerned within your jurisdiction

☐ Obligations related to exports of chemicals listed in Annex III (Article 11)

- ☐ Communicating import responses of other Parties to those concerned within your jurisdiction
- ☐ Ensuring exporters within your jurisdiction comply with import responses transmitted by other Parties
- ☐ Ensuring Annex III chemicals are not exported to any importing Party that, in exceptional circumstances, has failed to transmit an import response or transmitted an import response that does not contain an interim decision unless the conditions of Article 11, paragraph 2 are fulfilled

☐ Export notifications (Article 12)

- ☐ Provision of export notifications to importing Parties
- ☐ Acknowledgement of receipt of export notifications

☐ Information to accompany exported chemicals (Article 13)

☐ Other measures to establish and strengthen national infrastructures and institutions for the effective implementation of the Convention (Article 15) (please specify)

☐ No

Question 2: Has your country/organization faced challenges relating to the adoption or enacting of legislative or administrative measures to implement the Rotterdam Convention?

☐ Yes

Please provide further information on what may assist in overcoming those challenges (tick all that apply):

- ☐ Improved awareness of the country's obligations relating to the implementation of the Rotterdam Convention at the national level
- ☐ Making implementation of the Convention a higher policy priority within your country
- ☐ Conducting a preliminary survey of existing legislation to determine whether there are gaps in adequately implementing the Rotterdam Convention
- ☐ Supporting your country with specialist technical expertise in legal and chemical management issues for transposing Convention obligations into domestic law
- ☐ Improved coordination between various relevant entities (i.e. ministries and agencies)
- ☐ Increased expertise in legislative drafting
- ☐ Improved access to sources of funding
- ☐ Other considerations (please specify):

[Text box with option to attach documents]

☐ No

PART B: NOTIFICATIONS OF FINAL REGULATORY ACTION

Question 3: Does your country/organization have a definition of final regulatory action?

☐ Yes

(i) Please provide the text, including, where applicable and possible, a translation into English:

[Text box with option to attach documents]

(ii) Please confirm if this definition matches the definition contained in Article 2 of the Rotterdam Convention

☐ Yes, the definition matches the definition contained in Article 2 of the Rotterdam Convention

☐ No, the definition DOES NOT match the definition contained in Article 2 of the Rotterdam Convention

☐ No

Question 4: Has your country/organization faced challenges in relation to:

(i) Preparation and adoption of final regulatory actions

☐ Yes

☐ No

☐ Yet to prepare and adopt

(ii) Submission of a final regulatory action to the Secretariat within 90 days of it taking effect

☐ Yes

☐ No

☐ Yet to submit

If you responded Yes to (i) or (ii), please provide further information on what may assist in overcoming these challenges (tick all that apply):

☐ Improved awareness of the obligation to notify final regulatory actions at the national level

☐ Improved awareness of the obligation to submit notifications of final regulatory actions within 90 days of it taking effect

☐ According a higher policy priority within your country for the:

☐ Preparation of final regulatory actions

☐ Adoption of final regulatory actions

☐ Submission of notifications of final regulatory actions

☐ Improved coordination among relevant entities (i.e. ministries and agencies)

☐ Increased capacity to undertake risk evaluations

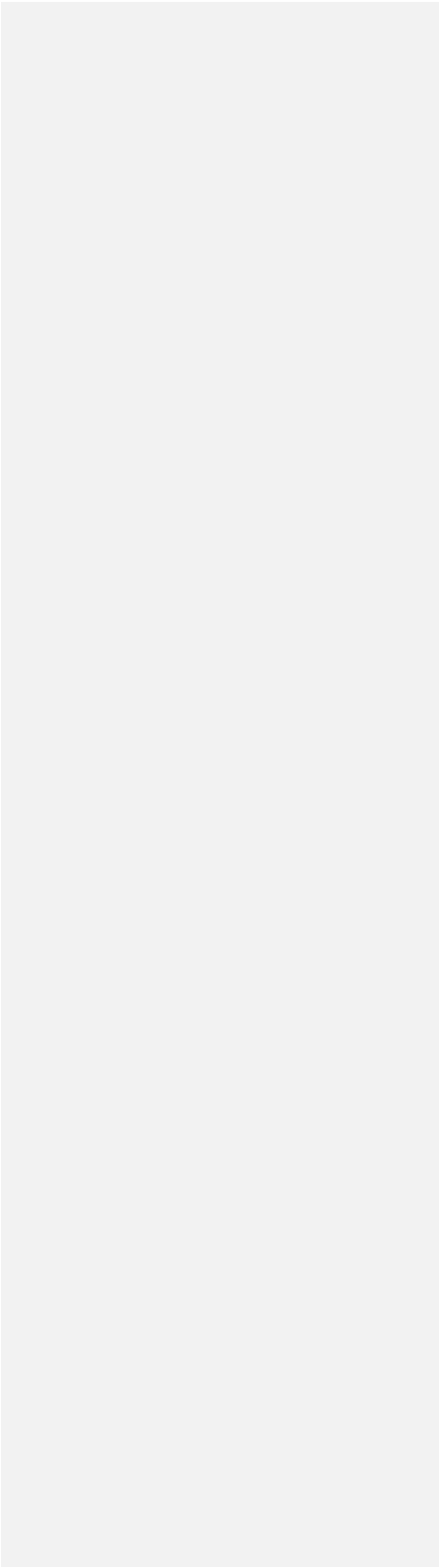
☐ Improved availability of relevant information (e.g. on uses in your country, exposure etc.)

☐ Improved understanding of the Annex I information requirements and Annex II criteria

☐ Availability of legal, technical and chemicals management expertise to prepare final regulatory actions

☐ Other considerations (please specify):

[Text box with option to attach documents]



PART C: IMPORTS OF CHEMICALS LISTED IN ANNEX III

Question 5: Has your country/organization communicated its own import responses to those concerned within the jurisdiction (e.g. customs, importers etc.)

☐ Yes

☐ No

Question 6: Has your country/organization faced challenges in relation to:

(i) Preparation of import responses

☐ Yes

☐ No

(ii) Transmission of import responses to the Secretariat

☐ Yes

☐ No

(iii) Communication of own import responses to those concerned within the jurisdiction (e.g. customs, importers)

☐ Yes

☐ No

If you responded yes to (i), (ii) or (iii), please provide further information on what may assist in overcoming those challenges (tick all that apply):

☐ Improved awareness of the obligation related to import responses at the national level

☐ Making preparation and transmission of import responses a higher policy priority within your country

☐ Improved coordination between various interested entities (i.e., ministries and agencies), with the aim of identifying potential challenges

☐ Improved coordination and cooperation between other national stakeholders

☐ Adoption of legislative or administrative measures

☐ Improved access to information on the hazards/risks posed by the chemical

☐ Improved access to information on domestic production and/or use of the chemical

☐ Better understanding of the availability and use of alternatives

☐ Access to specialist technical and/or other expertise in chemicals management

☐ Other (please specify):

[Text box with option to attach documents]

Question 7: Does your country import chemicals listed in Annex III to the Rotterdam Convention?

☐ Yes

Please complete and upload the Excel sheet (**Form 1**). *[Excel sheet download and upload]*

☐ No information available

☐ No

PART D: EXPORTS OF CHEMICALS LISTED IN ANNEX III

Question 8: Has your country/organization faced challenges in relation to:

(i) Communication of the import responses of other Parties to those concerned within the jurisdiction (e.g. exporters)

☐ Yes, some challenges faced

☐ No

(ii) Taking measures to ensure that exporters within your jurisdiction comply with decisions in each response

☐ Yes, some challenges faced

☐ No

(iii) Ensuring that Annex III chemicals are not exported to a Party that failed to transmit an import response unless the conditions of Article 11, paragraph 2 are fulfilled

☐ Yes, some challenges faced

☐ No

Please provide information on what may assist in overcoming these challenges (tick all that apply):

☐ Adoption of legislative or administrative measures

☐ Improved coordination and cooperation between national stakeholders

☐ Improved communication channels for information exchange

☐ Improved compliance with the measures by exporters / Illegal trade in chemicals

☐ Provision of further guidance (please specify):

☐ Other considerations (please specify):

[Text box with option to attach documents]

Question 9: Does your country/organization have mechanisms to enable it to respond to requests by importing Parties for advice and assistance?

☐ Yes

Please provide further information on whether such mechanisms are intended to (tick all that apply):

☐ Help importing Parties transmit their response concerning the future import of the chemical

☐ Respond to requests for explicit consent

☐ Strengthen importing Parties' capacities and capabilities to manage chemicals safely during their life-cycle

☐ Other (please specify):

[Text box with option to attach documents]

☐ No

Question 10: How does your country/organization ensure that Annex III chemicals are not exported to any importing Party that, in exceptional circumstances, has failed to transmit an import response or has transmitted an interim response that does not contain an interim decision unless the exceptions set out in paragraph 2 of Article 11 are met?

[Text box with option to attach documents]

Question 11: Has your country/organization applied the exceptions listed in paragraph 2 of Article 11 as the basis for exporting Annex III chemicals to a Party/Parties that has/have failed to transmit a response within the one-year period from the date on which the Secretariat has informed Parties that the Party/Parties has/have failed to transmit a response?

☐ Yes

If yes, please indicate which were applicable (click all that apply)

☐ The chemical was registered as a chemical in the importing Party at the time of import

☐ Evidence exists that the chemical has previously been used in, or imported into, the importing Party and in relation to which no regulatory action to prohibit its use has been taken

☐ Explicit consent to the import was sought and received through the designated national authority of the importing Party.

☐ No

Question 12: Can your country/organization share information on the measurable impact of listing chemicals in Annex III to the Convention?

☐ Yes

Please provide further information, including links to relevant websites and attach relevant documents.

[Text box with option to attach documents]

☐ No

Question 13: Does your country export chemicals listed in Annex III to the Rotterdam Convention?

☐ Yes

Please complete and upload the excel sheet (**Form 2**). *[Excel sheet download and upload]*

☐ No information available

☐ No

PART E: TRADE IN BANNED/SEVERELY RESTRICTED CHEMICALS AND EXPORT NOTIFICATIONS

Question 14: Does your country/organization export chemicals that have been banned or severely restricted in its territory?

☐ Yes

Please complete and upload the Excel sheet (**Form 3**). *[Excel sheet download and upload]*

Have export notifications been provided to the importing Party when chemicals that your country has banned or severely restricted and that are not listed in Annex III have been exported from your territory to another Party, in accordance with Article 12?

☐ Yes

☐ No

☐ No information available

☐ No

Question 15: If your country/organization has faced challenges with providing an export notification, please provide information on what may assist in overcoming these challenges (tick all that apply):

☐ Assistance with preparation of the export notification

☐ Collection of information specified in Annex V

☐ Other challenges, please specify:

[Text box with option to attach documents]

☐ Assistance with importing country contacts for transmission of the export notification to the importing Party

☐ Assistance with other challenges related to preparation and/or transmission of the export notification to the importing Party (Please specify):

[Text box with option to attach documents]

Question 16: Does your country receive imports of chemicals from other Parties that are banned or severely restricted in the exporting Party?

☐ Yes

Please complete and upload the Excel sheet (**Form 4**). *[Excel sheet download and upload]*

Has your country/organization received export notifications from the exporting Parties?

☐ No

☐ Yes

Did your country/organization acknowledge receipt of the first export notification received after the adoption of the final regulatory action?

Commented [BRS1]: The 'No' option is included below already. When the respondent first opens the questions, both will be visible and all the details below will only show after the respondent clicks 'Yes'

Commented [BRS2]: It might help members to do this throughout of 'No' first so that it is not lost in the details after someone clicks 'Yes'

☐ Yes

☐ No

Please provide further information on what may assist in overcoming any challenges faced with acknowledging receipt of export notifications (tick all that apply):

☐ Strengthened awareness of the Rotterdam Convention at the national level

☐ Adoption of legislative or administrative measures

☐ Improved coordination and cooperation between national stakeholders

☐ Additional information on the hazards/risks posed by the chemical

☐ Information on alternatives to the chemical

☐ Specialist technical and/or other expertise in chemicals management

☐ Other considerations (Please specify): *[Text answer]*

☐ No information available

☐ No

PART F: INFORMATION TO ACCOMPANY EXPORTED CHEMICALS

Question 17: Does your country/organization have measures in place requiring that whenever a Harmonized System customs code has been assigned to an Annex III chemical, the shipping document bears that code when exported?

☐ Yes

☐ No

Question 18: Does your country/organization have measures in place requiring that Annex III chemicals and banned and severely restricted chemicals, when exported, are subject to labelling requirements that ensure adequate availability of information with regard to risks and/or hazards to human health or the environment?

☐ No

☐ Yes

Please indicate the chemicals subject to such labelling requirements (*select all that apply*):

☐ Chemicals listed in Annex III

☐ Chemicals banned or severely restricted in your country's territory

☐ Chemicals subject to environmental or health labelling requirements in your country's territory

Do these measures require that the information on the label is given in one or more of the official languages of the importing country?

☐ Yes

☐ No

Question 19: Do your country/organization have measures in place requiring that a safety data sheet is sent to each importer of Annex III chemicals and banned or severely restricted chemicals that are to be used for occupational purposes?

☐ Yes

Please indicate which of the following is subject to these measures:

☐ Annex III chemicals to be used for occupational purposes

☐ Banned or severely restricted chemicals to be used for occupational purposes

Do the measures require that the safety data sheet:

☐ Follows an internationally recognized format

☐ Sets out the most up-to-date information available

☐ Is provided in one or more of the official languages of the importing country

☐ No

Commented [BR53]: All these details will show only if respondent clicks 'Yes'. The 'No' response below relates to having measures in place.

PART G: INFORMATION EXCHANGE

Question 20: Can your country share any of the following scientific, technical, economic and legal information, including toxicological, ecotoxicological and safety information, concerning the chemicals within the scope of the Rotterdam Convention?

Scientific information:

☐ Yes

Please provide further information, including links to relevant websites and attach relevant documents.

[Text box with option to attach documents]

☐ No

Technical information:

☐ Yes

Please provide further information, including links to relevant websites and attach relevant documents.

[Text box with option to attach documents]

☐ No

Economic information:

☐ Yes

Please provide further information, including links to relevant websites and attach relevant documents.

[Text box with option to attach documents]

☐ No

Legal information:

☐ Yes

Please provide further information, including links to relevant websites and attach relevant documents.

[Text box with option to attach documents]

☐ No

Question 21: Can your country provide publicly available information on domestic regulatory actions relevant to the objectives of this Convention and/or domestic regulatory actions that substantially restrict one or more uses of the chemical?

☐ Yes

Please provide further information, including links to relevant websites and attach relevant documents.

[Text box with option to attach documents]

☐ No

Question 22: Does your country possess any of the following information that may assist other Parties to prepare and notify final regulatory actions?

Scientific and technical information relevant to risk evaluation and decision making on hazardous chemicals and pesticides:

☐ Yes

Please provide further information, including links to relevant websites and attach relevant documents.

[Text box with option to attach documents]

☐ No

Texts of national legislation and other measures adopted to implement and enforce the Convention:

☐ Yes

Please provide further information, including links to relevant websites and attach relevant documents.

[Text box with option to attach documents]

☐ No

Other information that may assist other Parties to prepare and notify final regulatory actions:

☐ Yes

Please provide further information, including links to relevant websites and attach relevant documents.

[Text box with option to attach documents]

☐ No

PART H: ADDITIONAL NEEDS AND COMMENTS

Assistance required from other Parties

Question 23: Is there anything, in addition to the elements mentioned above, that could help your country/organization address challenges being faced in relation to implementation and enforcement of the Rotterdam Convention or do you have any other additional comments/suggestions? *[Large text answer for comprehensive response]*