

Technical Assistance for the implementation of the Rotterdam (PIC) - Convention in Argentina and Thailand

Project supported by the European Commission and Germany
August 1999 - December 2000

Executive Summary

Introduction

To promote the technical implementation of the Rotterdam Convention in developing countries a Pilot Project was initiated in Thailand and Argentina jointly sponsored by the European Commission (EC) and the German Ministry for Economic Cooperation and Development (BMZ). The activities were coordinated by the German Technical Cooperation (Deutsche Gesellschaft für Technische Zusammenarbeit (GTZ) GmbH). The project started 01 August 1999 and ended 31 December 2000. This project is a contribution to the requirements of article 16 of the Rotterdam Convention that parties with more advanced programmes for regulating chemicals should provide technical assistance to other parties. The project provided exchange of DNA representatives from Argentina, Thailand and the EU, information networking facilities, field test kits for certain chemicals, and short term experts for specific topics.

Argentina

In Argentina it was decided to elaborate a "National Action Plan" for the implementation of the Rotterdam Convention. Participants of a workshop held in Buenos Aires discussed the responsibilities they have with the implementation of the Rotterdam Convention and also have seen the benefits the country could have from the process. The outstanding result of the workshop was the formation of the DNA as an official body which permits the cooperation between responsible organisations. It contains on the one hand technical institutions, formed by five ministries, i.e. the Ministry of Work, Agriculture, Environment, Health, and Interior, and on the other hand the organising body within the Ministry of External Affairs with its international competence. At the beginning of August 2000 the Rotterdam Convention has been approved by the Argentinean Parliament.

When the project started Argentina stressed the plan to achieve a prohibition of the use, distribution and commerce of amphibole asbestos and chrysotile in Argentina and

the intention to notify the ban for the list of PIC chemicals. The representatives of the Argentinean authorities discussed in detail with German and Dutch experts the stepwise prohibition of the use of asbestos as well as the intensification of labour protection regulation. Argentina has banned the production, import, commerce and use of amphibole asbestos on 10 October 2000. The restriction of chrysotile is in preparation.

Thailand

Throughout the training visit of the Thai DNAs to the Germany and Italy, one of the most important achievements was related to the implementation of the import and export notification. Being a chemicals importing country, Thailand has only received export notifications but never issued any. Having discussed and learned from EU system, the Thai partners understand better now how the notification is being issued. However, language translation is still a main problem.

Even though Thailand is considerable strong in its legislation system it is still weak in implementation. Following the training visits, it is found that the responsibility and performance of the Thai customs is also relatively weak. It needs to be improved and rearranged.

The following activities could further strengthen the co-operation in the region and between Thailand, Germany and the EU:

- presentation of the practical results in a subregional workshop in cooperation with the FAO/UNEP PIC Secretariat,
- coordination of notifications (two parties from two PIC regions) starting with cooperation Thailand/EU on azinophos ethyl, dinoterb and DNOC,
- participation of an expert from Thailand as an observer at the PIC/ICRC 2 to receive input by Thailand experience with notifications and import decisions,
- cooperation in the area of risk assessment and risk management,
- funding to study the situation of banned and severely restricted chemicals under the Rotterdam Convention, e.g. to identify which chemicals banned and severely restricted in Thailand should be notified according to Article 5 or Article 14 1(c) of the Convention.

With the assistance of an external expert a national inventory of PCB and PCB containing capacitors and transformers was initiated. Inspectors have been trained in view of field and desk activities. PCB management guidelines has been provided, and a mailing list for the questionnaire to obtain data for the inventory has been developed for the public and private sector. Next steps will be mailing of the questionnaire to private companies, site inspection, PCB detection in mineral transformers, and the completion of the inventory database. From the beginning the customs office has been involved in the project. It needs to control the import and export of products which might contain PCBs. The inventory data and PCB management guidelines are valuable tools to implement the concept and procedure to check products which are suspected to contain PCBs or to be PCB-contaminated.

PIC Intergovernmental Negotiating Committee

In October 2000, a progress report of the project was forwarded to the INC when it met for its seventh session in Geneva. The INC expressed its satisfaction to countries which had provided technical assistance and strongly urged other parties that were in the position to do so to follow suit.

Final remarks

To facilitate the discussion a table (see below) was developed to describe the responsibilities of the country and to identify the necessary activities and subactivities for the implementation of the Rotterdam Convention on national level. To increase transparency the activities are structured in correspondence to the respective articles of the Rotterdam Convention. This table has been used successfully in the two pilot countries. It is recommended that this structured and transparent approach is used by other developing countries, too.

The necessities and activities regarding the implementation of the Rotterdam Convention in the respective countries are very different. The flexible concept of the project was a strong advantage to tailor the project activities specifically to the needs of Argentina and Thailand. Consequently, the partner countries could gain a maximum benefit out of the limited resources provided. In Europe, expertise from several EU member states and institutions promoted the project directly, in particular: The DNAs of Germany and the Netherlands, the European Chemicals Bureau in Ispra/Italy, Short Term Experts from France and Germany. The excellent cooperation

between the partner countries and the different EU member states has demonstrated that this kind of joint project is a viable approach for capacity building in developing countries in line with article 16 of the Rotterdam Convention.

Table: Responsibilities of the countries and necessary activities and subactivities for the implementation of the Rotterdam Convention

No. of Articles	Responsibilities of the countries with respect to the articles	Activities for the implementation of the convention	Subactivities of the respective activities
4	Designate one or more National Authorities (DNA)		
5	Notify the Secretariat in writing of its final regulatory actions in effect at that time (banned or severely restricted chemicals)		
6	In case of experiencing problems caused by a severely hazardous pesticide formulation propose to the Secretariat the listing of the formulation to Annex III		
10	Import of chemicals ♦ Implement appropriate legislative or administrative measures to ensure timely decisions with respect to the import ♦ In case of prohibition of import prohibit also domestic production for domestic use. ♦ Make decisions with respect to import ♦ Make available and distribute decisions within the country		
11	Export of chemicals: ♦ Take legislative or administrative measures to communicate import decisions send by the Secretary within the country ♦ Take legislative or administrative measures to make sure that exporters comply with communicated decisions ♦ Ensure that no chemical listed in the Annex III is exported from your territory without consent of the importing country		
12	Export: ♦ Provide export notifications for banned or severely restricted chemicals to importing country before first exportation and yearly Import: ♦ Acknowledge receipt of first export notification of the exporting country		
13	Export: ♦ Require that the products listed in Annex III are labelled adequately, providing the presence of information necessary in respect of the risks ♦ Require that the products of exportation are sent together with appropriate information about risks and dangers for health or environment according international regulations (Material Safety Data Sheets).		

14	Facilitate information exchange: ♦ Provide publicly available information on domestic regulatory actions ♦ Provide information to other countries on domestic regulatory actions that substantially restrict one or more uses of the chemicals.		
15	Establish and strengthen the national infrastructure and the national institutions to ensure effective application of the convention: ♦ Establish a national register and databases including safety information ♦ Encourage the initiatives by industry to promote chemical safety ♦ Promote voluntary agreements Ensure that public has access to adequate information about: ♦ Handling of chemicals ♦ Management of accidents and ♦ Use of alternatives that are safer for human health or the environment than the chemicals listed in Annex III. Agree to co-operate, directly or where appropriate through competent international organisations in the implementation of this convention at the subregional, regional and global level.		
16	Provide technical assistance, including training to other countries to enable them to develop infrastructure and capability to manage chemicals throughout their life-cycle.		