

# Rotterdam Convention on the Prior Informed Consent for Certain Hazardous Chemicals and Pesticides in International Trade

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## DATE RATIFIED BY THE PHILIPPINES

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31 July 2006



Plenary session as the Basel-Rotterdam-Stockholm COPS open in Geneva, Switzerland on 24 April 2017. [IISD/ Clara Worth ([enb.iisd.org/chemical/cops/2017/24apr.html](http://enb.iisd.org/chemical/cops/2017/24apr.html))]

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The potential health and environmental risks posed by hazardous chemicals and pesticides specifically in states that are unable to monitor the import and use of these prompted the UNEP and FAO to develop and promote voluntary information exchange programmes such as the International Code of Conduct on the Distribution and Use of Pesticides. In 1987, the London Guidelines for the Exchange of Information on Chemicals in International Trade was prepared by UNEP. In 1989, the UNEP and FAO jointly introduced into the said instruments the voluntary Prior Informed Consent (PIC) procedure. These three instruments helped governments in assessing the risk of hazardous chemicals so that they could make informed decisions on their future importations.

In the 1992 United Nations Conference on Environment and Development in Brazil (Rio Earth Summit), the Member States adopted Chapter 19 of Agenda 21, which sought a legally binding instrument to deal with movement of hazardous chemicals and pesticides by the year 2000.

This led to the formulation of the Rotterdam Convention. It entered into force on 23 February 2004. Its aims are to: (1) promote shared responsibility and cooperation in the international trade of certain hazardous chemicals in order to protect human health and the environment; and (2) contribute to the environmentally sound use of certain hazardous chemicals information exchange about their characteristics, establishment of a national decision-making process on their import and export and dissemination of these decisions to the Parties of the Convention.

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## COMMITMENTS

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The Rotterdam Convention operates through two mechanisms: (1) Prior Informed Consent (PIC) procedure which formally obtains and disseminates decisions of Parties who would wish to receive future shipments of chemicals listed under Annex III of the convention (pesticides and industrial chemicals that have been banned or severely restricted for health or environmental reasons), and the (2) Information Exchange which provides the venue for notification on hazardous waste regulation and problems caused by hazardous pesticide formulation.

The Fertilizer and Pesticides Authority of the Philippines has banned 11 pesticides from 1989 to 2005 and the Philippines has committed to subject these to PIC according to Annex III of the Rotterdam Convention. These pesticides are: (1) 2,4,5-T; (2) Aldrin; (3) Chlordane; (4) Chlordimeform; (5) DDT; (6) Dieldrin; (7) HCH/BHC; (8) Heptachlor; (9) Mercuric Fungicides; (10) Parathion-Ethyl and (11) Parathion-Methyl.

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## POLICY ISSUANCES

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**Republic Act No. 6969** or the "Toxic Substances and Hazardous and Nuclear Wastes Control Act of 1990" provides the overall legal and regulatory framework on the management of chemicals and hazardous wastes. From this law emanates specific policies from the DENR and other concerned government

departments. One of these policies is **DENR Administrative Order 2005-27** or the Revised Priority Chemicals List (the first list was in DAO 1998-58). These policies can be found in the Environmental Management Bureau at <https://emb.gov.ph/laws-and-policies-chemical-management/>.

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## UPDATES

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The Philippines has submitted 27 Import Responses which may be accessed at <http://www.pic.int/Procedures/ImportResponses/Database/tabid/1370/language/en-US/Default.aspx> through the Rotterdam database.

In 2017, during the 8th Conference of Parties (COP-8) of this Convention, three of the chemicals proposed were included in Annex III, bringing the total number of chemicals under the Convention to 51. These include two pesticides—carbofuran and trichlorfon— and an industrial chemical, short-chain chlorinated paraffins (SCCP). Also, tributyltin which has been listed under the pesticides category is now listed under industrial chemicals. The latter has been in the Philippine Priority Chemical List under DAO 1998-58. The Philippines also expressed support for the inclusion of SCCPs and expressed the need for enhancing information exchange on trichlorfon.

The DENR-EMB annually updates the Philippine Inventory of Chemicals and Chemical Substances (PICCS). This is a list of all existing chemicals and chemical substances used, imported, distributed, processed, manufactured, stored, exported, treated or transported in the Philippines. Chemicals and chemical substances not included in PICCS cannot be manufactured or imported unless the proponent follows the Pre-Manufacture Pre-Importation Notification (PMPIN) assessment process. The first PICCS was published in 1995 and the succeeding PICCS updates were published in 2000, 2002, 2005, 2008, 2011, 2013, 2015 and 2017 (<http://chemical.emb.gov.ph/?s=+PMPIN>).

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## NEXT STEPS

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- Enhance capacity-building activities and improve information exchange through technical assistance (TA) plans and support in the chemical listing process and the prior-informed-consent (PIC) procedure
- Improve national capacities to generate and use information on health and environmental impacts, such as national reporting mechanisms on specific cases of health-related diseases attributable to exposure from toxic chemicals.

- Capacity building for government staff such as those in the Bureau of Customs in order to prevent the illegal entry of unregistered pesticides used in the agricultural sectors
- Address issues related to the cases of failure to transmit a response for certain chemicals (2006 to 2018)
- The UNIDO Roadmap Towards a Sustainable Chemicals and Hazardous Waste Management by 2030 identified priority policy actions and projects in order for the country to comply with the Conventions (UNIDO, May 2018). It proposes the amendment of Presidential Decree 1144 on the regulation of agricultural chemicals in order to streamline the regulatory scope of the Fertilizer and Pesticide Authority (FPA). Another suggestion is that the FPA shall regulate household pesticides and organic agricultural chemicals while the DENR shall regulate pesticide and fertilizer wastes. The revision of PD 1144 also needs to provide for an increase in the penalties for violations and the establishment of a monitoring system for the presence and contamination of hazardous agricultural chemicals. The Roadmap also put forth infrastructure-related needs such as the (a) installation of a transport system for hazardous agricultural chemicals; (b) building of a warehouse or storage facility for hazardous chemicals that shall serve as a holding area for confiscated agri-chemicals and (c) treatment facilities for hazardous chemicals.

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## **FOCAL OFFICE**

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### ***Chemical Management Section***

DENR - Environmental Management Bureau

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## **MEETINGS ATTENDED**

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- Meetings of the Conferences of the Parties to the Basel, Rotterdam and Stockholm Conventions (BC COP-13, RC COP-8, SC COP-8), 24 April–5 May 2017; Geneva, Switzerland – Usec. Juan Miguel T. Cuna (DENR), Asst. Dir. Jacqueline A. Caancan, Mr. Renato T. Cruz, Mr. Geri-Geronimo R. Sañez (EMB)
- Asia Pacific Preparatory Meeting of the Conferences of the Parties to the Basel (134), Rotterdam (8), and Stockholm (8) Conventions, 6–10 March 2017; Bangkok, Thailand – Mr. Renato T. Cruz and Mr. Geri-Geronimo R. Sañez (EMB)

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## **SOURCES/RELEVANT LINKS**

<http://www.pic.int/TheConvention/Overview/tabid/1044/language/en-US/Default.aspx>

UNIDO. *Roadmap Towards a Sustainable Chemicals and Hazardous Waste Management by 2030*. Geneva, Switzerland, May 2018.