GLOBAL REGULATION OF HAZARDOUS CHEMICALS: MONITORING TRADE AND INCREASING TRACEABILITY USING THE HS

Melisa Lim
Secretariat of the Basel, Rotterdam and Stockholm Conventions
October 2022
THE BASEL, ROTTERDAM AND STOCKHOLM CONVENTIONS

Common objectives: to protect human health and the environment against hazardous chemicals and wastes

A framework for life cycle management of hazardous chemicals
KEY GLOBAL AGREEMENTS ON HAZARDOUS CHEMICALS AND WASTES

- The **Basel Convention** on the Control of Transboundary Movements of hazardous wastes and their Disposal
  - Adopted in 1989; 189 Parties
  - Hazardous wastes and wastes requiring special consideration (e.g. household waste, plastic waste)

- The **Rotterdam Convention** on the Prior Informed Consent Procedure for Certain Hazardous Chemicals and Pesticides in International Trade
  - Adopted 1998; 165 Parties
  - 54 chemicals (pesticides or industrial chemicals)

- The **Stockholm Convention** on Persistent Organic Pollutants
  - Adopted 2001; 186 Parties
  - 31 chemicals
STOCKHOLM CONVENTION: PREVENTING RELEASE OF AND EXPOSURE TO POPS

186 Parties
31 chemicals
Adopted 2001

Restrict production & use
Control trade
Manage wastes
- No reuse or recycling
- Destruction standards
- Identify contaminated sites
IMPORT/EXPORT CONTROLS UNDER THE STOCKHOLM CONVENTION

**Import:** POPs chemical / waste

- Import of Annexes A and B chemicals/wastes is only allowed for:
  - The purpose of environmentally sound disposal;
  - A Party that benefits from a specific exemption/acceptable purpose.

**Export:** POPs chemical / waste

- Export of Annexes A and B chemicals/wastes is only allowed:
  - For the purpose of environmentally sound disposal;
  - To a Party that benefits from a specific exemption/acceptable purpose;
  - To a non-Party that certifies that it will comply with the stockpiles and wastes provisions of the Convention.

- If conditions are fulfilled, trade may take place, subject to the relevant PIC procedures:
  - If POPs wastes, [ Basel ] PIC procedure apply;
  - If POPs chemicals covered by [ Rotterdam ] Annex III, PIC procedure apply.
ROTTERDAM CONVENTION: INFORMED DECISION FOR IMPORT OF HAZARDOUS CHEMICALS

165 Parties
54 chemicals
Adopted 1998

- Decisions on import of listed chemicals shared among Parties
- Decision guidance documents on listed chemicals

PIC for export

- Final regulatory actions
- Notification of export of restricted chemicals

Information exchange
Import/Export Controls under the **Rotterdam Convention**

Prior Informed Consent (PIC) procedure based on import responses pertaining to chemicals listed in Annex III of the Convention:

- Import responses are the decisions taken by Parties indicating whether or not they will consent to the import of chemicals listed in Annex III of the Convention and subject to the PIC Procedure.

- If a country responded with “no consent to import” for one or more chemicals, customs should control the entry of these chemicals in the country.
HS CODES FOR HAZARDOUS CHEMICALS

- Shipping document for listed chemicals should bear customs codes when exported (Rotterdam Convention Article 13)
- HS codes exist for all chemicals listed under the Rotterdam Convention
- Majority of POPs are also listed under the Rotterdam Convention
Forever chemicals

- Perfluorooctane sulfonic acid (PFOS), its salts & PFOSF (listed 2009);
- Perfluorooctanoic acid (PFOA), its salts & PFOA-related compounds (listed 2019);
- Perfluorohexane sulfonic acid (PFHxS), its salts & PFHxS-related compounds (listed 2021)
Large diversity of PFOA-related compounds

Indicative list: document UNEP/POPS/POPRC.17/INF/14/Rev.1

Little information about commercial uses in the public domain
POPs flame retardants & other plastic additives

- Commercial penta and octaBDE
- DecaBDE
- HBCD
- SCCP
POPs: challenge to circularity

Evaluation of progress in eliminating BDEs in articles:

• Legacy of BDEs in wastes e.g e-waste
• BDEs in low levels in plastic toys & other consumer products
• Separation during recycling process challenging
• Stock of BDEs in developing countries

Between 1.1 and 1.25 million tonnes decaBDE produced between 1970 to 2005
Scientific bodies responsible for recommendations on listing

Chemical Review Committee

POPs Review Committee
Coming up

Recommended for listing:
• Dechlorane Plus (flame retardant)
• UV-328 (UV protectant)

Under review:
• Medium chain chlorinated paraffins
• Long-chain perfluorocarboxylic acids (PFCAs), their salts and related compounds
Thank you for your attention

Melisa.lim@un.org