Hazardous chemicals and pesticides, international trade: Rotterdam Convention, prior informed consent procedure

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The Council noted the progress of proceedings on: - the proposal for a Decision approving, on behalf of the European Community, the Rotterdam Convention on the Prior Informed Consent (PIC) Procedure for certain hazardous chemicals and pesticides in international trade; - the proposal for a Regulation aimed at replacing the voluntary PIC established by Regulation No 2455/92, in accordance with the Rotterdam Convention. Examination of the dossier at this stage has focused on the Member States' role in implementing the Convention and on the application of the Regulation to countries which are not Parties to the Convention. The Permanent Representatives Committee moreover spoke unanimously in favour of the use of Article 175 (environment) of the Treaty as the legal basis for both texts instead of Article 133 (common commercial policy) as originally proposed. The European Parliament must therefore also be consulted on these texts, and the codecision procedure becomes applicable for the Regulation. The Rotterdam Convention of September 1998 aims to replace the PIC established on a voluntary basis by the Food and Agriculture Organisation of the United Nations (FAO) and the United Nations Environment Programme (UNEP) in which over 160 countries participate; both proposals are intended to apply and implement the Convention within the Community. The new Convention, signed by 73 Parties including the Community and all the Member States except Ireland, has already been the subject of 22 out of the 50 ratifications required for its entry into force. The Rotterdam Convention provides in particular that: the Parties would have the right to refuse the import of hazardous chemicals: the export of certain chemicals (currently 26 pesticides and 5 industrial chemicals) could take place only after prior consent by the importing country; Parties must inform other Parties of national restrictions on the use of hazardous chemicals; and a Party that plans to export a hazardous chemical must inform the importing Party. In addition to applying the principles established by the Convention, the proposal for a Regulation provides in particular for: extending the scope of export notification to a wider range of chemicals, extension of the PIC to chemicals that are banned or severely regulated in the Community, the possibility of banning the export of certain chemical products banned in the Community, and appropriate labelling of all chemicals exported from the Community.