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**Rotterdam Convention on the Prior Informed
Consent Procedure for Certain Hazardous
Chemicals and Pesticides in International Trade
Conference of the Parties
Second meeting**

Rome, 27–30 September 2005

Item 6 (d) of the provisional agenda*

**Issues arising out of the first meeting of the Conference of the
Parties: Encouragement of the World Customs Organization
to assign specific Harmonized System codes to the chemicals
listed in Annex III**

Continued cooperation with the World Customs Organization

Note by the secretariat

1. The Rotterdam Convention states, in article 13, paragraph 1:

“The Conference of the Parties shall encourage the World Customs Organization to assign specific Harmonized System customs codes to the individual chemicals or groups of chemicals listed in Annex III, as appropriate.”
2. During the interim period, the Intergovernmental Negotiating Committee encouraged the secretariat to work with the World Customs Organization (WCO) in assigning specific Harmonized System (HS) customs codes to the chemicals initially included in Annex III, and to chemicals included during the interim period.
3. At its first meeting, the Conference of the Parties decided, in decision RC-1/8, to encourage WCO to assign HS customs codes to the individual chemicals or groups of chemicals listed in Annex III, as appropriate, and also requested the secretariat to continue to work with the WCO secretariat.
4. Accordingly, the secretariat wrote to WCO requesting continued cooperation and asking it to continue assigning HS customs codes to the chemicals included in the Rotterdam Convention. A copy of the letter is available in document UNEP/FAO/RC/COP.2/INF/4.

* UNEP/FAO/RC/COP.2/1.

5. In its response, WCO indicated that, at its thirty-second session, in November 2003, the Harmonized System Committee had provisionally adopted amendments to the Harmonized System nomenclature with a view to assigning specific HS codes to the individual chemicals or groups of chemicals listed in Annex III of the Rotterdam Convention, and also to certain chemicals added to the interim prior informed consent procedure during the interim period and now included in Annex III. Those amendments will enter into force on 1 January 2007.
6. Subsequently, the secretariat approached WCO with regard to the inclusion of the remaining chemicals included in Annex III by the Conference of the Parties at its first meeting. These will initially be discussed at the meeting of the Technical Subcommittee to be held in May 2005. Given the timetable for developing amendments, it is anticipated that these chemicals would be included in the amendments due to enter into force on 1 January 2012.
7. In addition, as the issue of training on customs matters has been raised in a number of international forums, the secretariat has approached WCO regarding the training of national customs officials in the relevant provisions of the Rotterdam Convention, particularly with regard to the specific customs codes due to enter into force in January 2007.
8. The training of customs officials would be supplemented by the training of designated national authorities under the strategy on technical assistance on the requirements of Convention relating to the import and export of chemicals, in particular the need to ensure that, should a “no consent to import” decision be reached for a chemical included in Annex III, imports of that chemical from other sources will also be prohibited.
9. The Conference of the Parties may wish to endorse continued cooperation between the secretariat and WCO, both in the assignment of HS customs codes and in developing and implementing a training scheme for customs officials on the obligations of the Rotterdam Convention, within the planned technical assistance programmes of both WCO and the Rotterdam Convention.
