

What is the Rotterdam Convention?

This presentation covers

- The Rotterdam Convention's Prior Informed Consent (PIC) Procedure; and
- Rights and Obligations of Parties to the Convention if Lead Chromates are Listed.

This PowerPoint Presentation is the 2nd in a series of 8 presentations on Lead Chromates and the Rotterdam Convention, prepared by IPEN in order to help NGOs, civil society, and government officials better understand the important role a lead chromate listing by the Rotterdam Convention can play in reducing childhood lead exposure and accelerating global lead paint elimination. For other presentations in this series, please visit IPEN's [website](#).

IPEN's Campaign to List Lead Chromates

IPEN is a network of over 600 NGOs in more than 120 countries working together for a toxics-free future.

- IPEN has been working with NGOs to promote lead paint elimination in low- and middle-income countries for fifteen years.
- Initiatives by governments and these NGOs has led to the adoption of new lead paint regulation in several countries.
- IPEN-affiliated NGOs in countries that recently adopted lead paint control laws are now encouraging their Governments to nominate lead chromates for a Rotterdam Convention listing.

IPEN's Campaign to List Lead Chromates

The Rotterdam Convention is an international treaty that operates a legally binding Prior Informed Consent (PIC) procedure that applies to international trade in the hazardous chemicals listed in its Annex III.

- The lead paint control regulations that many countries recently adopted impose severe restrictions on the use of lead chromate pigments as ingredients in paints.
- These pigments are the predominant source of lead in lead paints.
- Countries that recently adopted lead paint regulations can submit Notifications to the Rotterdam Convention that nominate lead chromates for a Convention listing.
- A decision by the Rotterdam Convention to list lead chromates can help greatly accelerate the global elimination of all lead paints.

IPEN's Campaign to List Lead Chromates

Those interested in submitting Notifications may wish to review two documents that better explain the listing process and its impact.

[*Controlling Lead Chromate Pigments: The Case for a Rotterdam Convention Listing.*](#) What are Lead Chromates; The Lead Chromate Hazard; Uses of Lead Chromates; and the Impact of a Rotterdam Convention Listing.

[*Preparing a Rotterdam Convention Notification Listing.*](#) Why Countries that Recently Adopted Lead Paint Controls Can Nominate Lead Chromates; the Rotterdam Listing Process; Most Recent Regulatory Actions were based on Risk Evaluations; Establishing Controls on Trade in both Lead Chromates and in Paints that Contain them; How to Satisfy the Convention's Listing Criteria.

What is the Rotterdam Convention?

The Rotterdam Convention is an international treaty

- The process by which the Convention decides whether it should list a chemical in its Annex III begins when at least one country from each of at least two regions notifies the Convention that it has banned or severely restricted the chemical (or family of chemicals) for health or environmental reasons.
- The Rotterdam Convention operates a legally binding **Prior Informed Consent (PIC)** procedure which it applies to international trade in all the hazardous chemicals listed in its Annex III.

What is the Rotterdam Convention?

Under the Convention's PIC procedure, Parties to the Convention

- Are required to prevent exports of listed chemicals to any country that does not consent to receiving them.
- An importing country can consent to **all** imports of a listed chemical; to **no** imports; or to imports **only** under some **specified conditions**.

Rights and Obligations of the Parties

If lead chromates are listed, *importing countries* will have the right to deny consent to imports of lead chromates in the form of:

- Pigments destined for use in the manufacture of paints, and/or
- Paints that contain lead chromate pigments as ingredients.

Exporting countries will be responsible for preventing companies within their jurisdictions from exporting lead chromates and paints that contain them without first receiving consent from the government of the importing country.

Rights and Obligations of the Parties

The World Customs Organization (WCO) will assign lead chromates a specific Harmonized System (HS) Customs Code.

- Every exporting country must require all exporters, within its jurisdiction, to put this customs code on shipping documents, whenever the company exports lead chromate pigments or paints that contain them as intentional ingredients.
- Customs officers in both exporting and importing countries will then be able to easily identify shipments of lead chromate pigments and of paints that contain lead chromate pigments.

Rights and Obligations of the Parties

If lead chromates are listed, Parties to the Rotterdam Convention will be obligated to respond to the listing decision within nine months. A country can respond in one of four ways. It can:

1. Consent to no future imports of lead chromates and paints that contain them.
2. Consent to all future imports of lead chromates and paints that contain them.
3. Consent to future imports only if some specified conditions are met.
4. State that it needs more time to decide.

Rights and Obligations of the Parties

A Party that has already adopted national controls on the lead content of paints can deny its consent to all lead chromate imports that do not comply with its national laws.

Parties that have not yet adopted any national lead paint controls will need to decide whether they wish to continue importing lead chromates and paints that contain them.

For many countries, making this decision can become an opportunity and a framework for considering and enacting the country's first national controls on the lead content of paints.

Rights and Obligations of the Parties

An Importing Country cannot permit the domestic manufacture (for domestic use) of any product for *which* it has denied import consent under the Rotterdam Convention's PIC Procedure.

- If a Party denies import consent to lead chromates for use in the manufacture of all or some kinds of paints, it cannot permit the domestic manufacture of lead chromates for use in producing those same kinds of paints.
- If a Party denies import consent to (some or all) paints that contain lead chromate pigments, it cannot permit the use of lead chromates in the domestic manufacture of similar paints.

Summary

- If lead chromates are listed, every Convention Party gets the right to use the PIC Procedure to impose obligations on Parties that export lead chromates or export paints that contain them.
- The importing country can specify the conditions under which it consents – or denies consent – to imports of lead chromates and of paints that contain them.
- If a Party uses the PIC Procedure to deny consent to some or all imports of lead chromates or paints that contain them, it must impose corresponding prohibitions on the domestic manufacture of lead chromates and of paints that contain them.

Summary (cont.)

If the Rotterdam Convention decides to list lead chromates, each Convention Party will have a *nine-month window* within which it is expected to decide whether it consents to lead chromate imports, and if so, under what conditions.

- During this nine-month window, high level officials in countries that have not yet taken regulatory action to control lead in paints will be called upon to allow or to prevent the uncontrolled import of lead paints and of ingredients needed to manufacture lead paints.
- Many governments, when faced with this choice, will decide that imposing controls on the import of lead chromates is the better option.

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For Additional information and other *Lead Chromates and the Rotterdam Convention* PowerPoint presentations, please visit IPEN's [website](https://ipen.org/site/listing-lead-chromates-under-rotterdam-convention). (https://ipen.org/site/listing-lead-chromates-under-rotterdam-convention)