



**Mr Emiliano Alonso**  
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**Dr Rolph Payet**

Executive Secretary of the Basel, Rotterdam and Stockholm Conventions  
Secretariat of the Basel, Rotterdam and Stockholm Conventions  
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**Mr Hans Dreyer**

Executive Secretary of the Rotterdam Convention – FAO  
Secretariat of the Rotterdam Convention - UNEP  
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Dear Dr Payet,

Dear Mr Dreyer,

**Subject: Call for information and follow-up to the decisions adopted by the Conference of the Parties to the Rotterdam Convention at its ninth meeting (Geneva, Switzerland from 29 April to 10 May 2019).**

Last June, you send us a letter in which it requested to “*provide data on the international trade in chemicals recommended for listing in Annex III and to inform on the measurable impacts of listing chemicals*”. The letter covered other issues discussed during last COP-9 and was a call for information addressed to all Parties, non-Parties, as well as

to representatives of the industry, civil society and other stakeholders of the Rotterdam Convention.

At this stage, there is no doubt that the frustration stemming from not having succeeded in getting chrysotile listed in Annex III is the rationale behind your initiative.

Concerning the International Chrysotile Association, the Rotterdam Convention Secretariat is asking us, using the wording '*measurable effects*', about the inconvenients that would result from placing chrysotile on the Prior Informed Consent (PIC) list, in other words, the procedure applicable to certain chemicals as per Annex II - *Criteria for listing BANNED or SEVERELY RESTRICTED chemicals in Annex III*. All criteria are listed and clearly established.

The matter has been discussed *ad nauseam* by Member States for more than a decade and at numerous conferences, including various Conference of the Parties (COPs).

The Secretariat has been fully aware of these discussions and, to some extent, it has even shared the position held by some of the Parties, including numerous European countries, Japan, Australia and Chile, which, certainly, do not represent the stance of all Parties. Deepening on it, the Secretariat has not always held its due neutral stance, but, on the contrary, has been continuously collaborating with the anti-asbestos lobbies, which has created a favourable environment for them to arise and to use the Convention as an exceptional springboard from where to promote worldwide banishment of the serpentine fibre.

Therefore, it cannot be alleged by the Convention's senior executives and staff ignorance of this situation. They have been too close to this machination for their request to the ICA to be in any way credible. The current regulatory situation is simple: **all countries that have advocated for the inclusion of chrysotile in Annex III have already banned it, and all countries against banishment are currently using or producing chrysotile.** The latter's population represents two-thirds of humankind and they are acting as responsibly as any other country when it comes to making all necessary efforts to protect the health of the people and of the environment.

ICA finds unconceivable the hypocritical request made by the Secretariat that we should explain what the inconvenients would be of having chrysotile included in Annex III. ICA has no intention of re-handling all the documents it has sent to the Secretariat nor to recall the findings outspokenly presented along the Intersessional work on the process of listing chemicals in Annex III to the Rotterdam Convention and particularly, during the

few fora allowed for an open debate, such as the Riga Seminar in July 2016. ICA has therefore no intention whatsoever to pursue discussions with the Secretariat which have lasted long enough and have clearly shown that they lead nowhere.

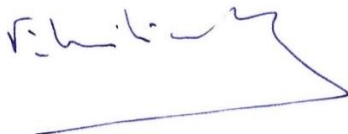
Contrary to your approach, we understand that it would be the Secretariat's responsibility to hold the burden of proof, that is, to explain the '*measurable effects*' after listing a substance and, regarding the inclusion of serpentine (chrysotile), why and how the inclusion in Annex III would benefit this fibre on the world markets so needed to improve housing, water and sanitation for the most vulnerable. It is up to the protagonists of a global banishment to explain and demonstrate that there is no relation between banishment and inclusion on the blacklist.

It should also be the Secretariat's responsibility to call the activists pushing for inclusion to order and to demand that, once and for all, the lack of consensus among Member States is a consistent position of the Convention's Member States, which clearly emerged during COP meetings and it shall be respected.

The spirit and letter of both the Rotterdam Convention and the rules governing the international trade leave no room for nonchalance, *laissez-faire*, bias, and, much less, favouritism. Each Member State is free to make its own choices, establish its priorities, and determine their future without being subjected to threats, intimidation or harassment from anyone.

For all these reasons, ICA will not respond to the Secretariat's request. Our organization has no intention to take on responsibilities which clearly are not part of its role. It is high time for the sad anti-chrysotile campaign to come to an end, and the will expressed on so many occasions by all user or producer countries should at long last receive as much attention from the Secretariat as that of countries in favor of inclusion. Their voice must be heard and respected.

Yours sincerely,



**Emiliano Alonso**  
Chairman