



ROTTERDAM CONVENTION

COP-12 MEETING 2025

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BREAKING THE DEADLOCK



DEFENDING THE INTEGRITY OF THE ROTTERDAM CONVENTION AT COP12

The upcoming twelfth Conference of the Parties (COP12) to the Rotterdam Convention presents a pivotal moment for the future of international chemical regulation.

For years, the Convention has been paralyzed by procedural inefficiencies, repeated deadlocks, and a growing disconnect between its intended purpose and its actual implementation. Instead of facilitating informed decision-making on the trade of hazardous chemicals, the Convention has become entangled in endless cycles of unresolved discussions, politicized maneuvers, and a disregard for the foundational principle of consensus. COP12 must be the moment when these issues are confronted head-on, ensuring that the Convention remains a fair and effective mechanism for all Parties.

One of the most pressing concerns is the continuous reintroduction of chemical listings that have persistently failed to achieve consensus. The case of chrysotile asbestos is a prime example, having been debated at every COP since 2006 with no agreement reached.

Despite this, the issue is repeatedly placed on the agenda, diverting resources and focus away from other pressing matters. This procedural dysfunction not only erodes the efficiency of the Convention but also undermines its credibility.

The Kazakhstan Amendment (see related article), to be discussed at COP12, offers a pragmatic and essential solution by introducing a mechanism that prevents unresolved listings from being perpetually reintroduced. If a chemical has failed to achieve consensus after three consecutive COPs, it should be removed from the agenda. This amendment is not about blocking listings arbitrarily; it is about ensuring that the Convention functions efficiently, fairly, and in alignment with its core principles. The Kazakhstan Amendment is a necessary reform to restore trust in the decision-making process, prevent endless repetitions of unresolved debates, and allow Parties to focus on genuine and pressing issues.

Another crucial aspect that must be addressed is the continued misrepresentation of different types of asbestos fibers. The Convention has failed to distinguish between various asbestos fibers, despite overwhelming scientific evidence demonstrating that chrysotile is fundamentally different from amphibole asbestos in terms of health impact and safe usage potential. The safe and responsible use of chrysotile is not only possible but has been successfully implemented in numerous countries through strict regulatory oversight and industrial safety measures. It is imperative that COP12 recognizes this differentiation rather than allowing a one-size-fits-all approach that does not reflect the realities of scientific and industrial evidence. The debate must be driven by facts, not misconceptions.

Beyond the procedural stalemate, COP12 must also address the broader implications of Annex III listings. While some argue that inclusion in Annex III is merely a regulatory measure, the reality is far different. The designation of a substance in Annex III often functions as a de facto ban, particularly for countries with limited regulatory capacity (see related article). The International Chrysotile Association (ICA) has consistently highlighted the economic and social consequences of such listings, which can disrupt industries, eliminate jobs, and distort markets without necessarily improving safety outcomes.

Numerous governments have provided compelling evidence that the listing of chrysotile and other substances in Annex III leads to unintended economic hardships, particularly in developing nations where alternative materials are neither affordable nor viable. COP12 must recognize these realities and ensure that regulatory measures do not translate into indiscriminate trade barriers that disproportionately harm certain economies.

Another critical issue that cannot be ignored is the role of the Secretariat of the Rotterdam Convention. The events of COP11 exposed troubling violations of procedural and legal norms, with the Secretariat actively pushing for amendments that would have dismantled the consensus-based decision-making process. By promoting a proposal to introduce a majority voting mechanism—despite clear opposition from numerous Parties—the Secretariat engaged in actions that were not only legally questionable but also fundamentally opposed to the principles upon which the Convention was built.

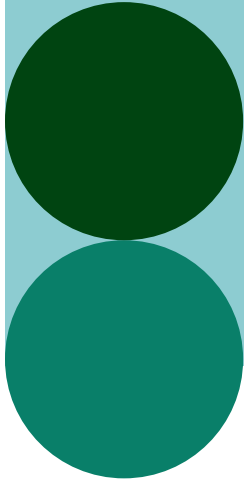
The Legal Opinion mandated by ICA on COP11 highlights serious breaches of the Rules of Procedure and even the Vienna Convention on the Law of Treaties, demonstrating a deliberate attempt to bypass legal safeguards and manipulate decision-making in favor of certain political interests. These practices must not be repeated at COP12. The integrity of the Convention depends on ensuring that such procedural violations are neither tolerated nor allowed to set a precedent for future conferences (see related article).

COP12 represents an opportunity to restore the integrity of the Rotterdam Convention and reaffirm its original mission: to ensure informed decision-making through consensus and cooperation. The challenges ahead are significant, but they are not insurmountable.

The Parties must seize this moment to implement necessary reforms, reject procedural abuses, and safeguard the Convention from becoming a tool of regulatory coercion. A failure to do so will only deepen existing divisions and weaken the credibility of the Convention as an effective instrument for international chemical management.

It is time to break the deadlock, defend the rule of law, and commit to a Convention that serves all Parties fairly and effectively.

Emiliano Alonso
ICA Chairman



THE SHAMEFUL PRECEDENT MUST NOT BE REPEATED AGAIN

UNDERMINING THE RULE OF LAW: THE SECRETARIAT'S BREACH
OF LEGAL PRINCIPLES IN COP11



The **Rotterdam Convention** was built on the foundation of **consensus**—a fundamental principle designed to ensure fair, transparent, and cooperative decision-making among Parties. However, at **COP11**, the **BRS Secretariat and the Presidency**, in open defiance of the Convention’s legal framework, attempted to **circumvent the consensus rule** through a deeply flawed and legally questionable maneuver. The deliberate procedural violations that occurred during COP11 were not merely technical oversights but a coordinated effort to dismantle the fundamental principles of the Convention in favor of specific political interests.

GENEVA, MAY 2023: THE MANEUVER

At the heart of this issue was **CRP4**, a Conference Room Paper submitted by Switzerland and its co-sponsors during COP11, which sought to introduce a new **Annex VIII** to the Convention. This amendment was framed as a way to enhance the effectiveness of the Convention, but its real objective was to **bypass the legitimate opposition** of certain Parties and impose chemical listings by majority vote rather than through consensus. Such a move directly undermined the very essence of the Rotterdam Convention, which was established to **promote shared responsibility and cooperative decision-making**. By attempting to alter the Convention’s core decision-making process, the Secretariat and its allies engaged in an act of institutional manipulation that risked setting a dangerous precedent for the future.

During COP11 itself, the situation worsened. The Secretariat **accepted and promoted the discussion of CRP4** despite its procedural and legal deficiencies, creating an ad hoc contact group under dubious legal justifications. The proposal was never properly translated into all UN official languages, in **violation of the Convention’s Rules of Procedure**, further hindering Parties from fully understanding and debating the issue. More egregiously, the President of COP11, under the influence of the Secretariat, **forced a vote on CRP4**, despite the clear absence of exhaustion of all efforts to reach consensus, which is explicitly required by the Rotterdam Convention. This blatant breach of the established rules represented a **direct assault on the legal integrity of the Convention**.

THE SCRUTINY OF A LEGAL OPINION

A Legal Opinion by the International Chrysotile Association (ICA) on COP11 has exposed a shocking list of breaches of the Rotterdam Convention, its Rules of Procedure, and even the Vienna Convention on the Law of Treaties.

These violations were not limited to actions taken during COP11 but were **carefully orchestrated well in advance**. The Secretariat failed to properly include a **Preliminary Proposal for amendment** in the Provisional Agenda, ignored deadlines for communication, and **deliberately withheld critical information from Parties**, preventing them from having a clear and timely understanding of the proposed changes. These acts constitute a **direct attack on the principles of transparency, predictability, and legal certainty**—elements that are essential for any functional international treaty.





A FAILED VOTE BUT WITH DAMAGES

Despite these efforts, the maneuver ultimately failed. The vote did not reach the required threshold, and **CRP4 was rejected**. However, the damage had already been done. The attempt to eliminate consensus as the primary decision-making process within the Convention has **created a dangerous precedent**. If these actions are not condemned and corrected, the very foundation of the Rotterdam Convention risks being permanently eroded, transforming it from a forum of cooperative international decision-making into a **politicized instrument of coercion by certain Parties and the Secretariat**.

The failures of COP11 highlight an urgent need to **reinforce legal certainty within the Convention**. The rule of consensus exists for a reason—it ensures that all Parties, regardless of their economic or political weight, have an equal voice in shaping international chemical policy. The **arbitrary and unilateral actions of the Secretariat** threaten to dismantle this balance, replacing it with a system where decisions can be forced through without the agreement of all affected Parties. This is not only a **violation of international legal principles** but also a **betrayal of the trust that Parties place in the Convention's governance structure**.

To prevent such abuses from happening again, it is imperative to take concrete actions to **restore the legitimacy of the Convention**. There must be **strict enforcement of procedural rules**, ensuring that no proposals are debated unless they have been properly submitted, translated, and distributed within the legally mandated timeframes. Additionally, the **role of the Secretariat must be re-evaluated**. It is unacceptable for an administrative body to engage in manipulative tactics that undermine the very Convention it is supposed to serve. Clear accountability mechanisms must be put in place to **prevent future procedural violations** and **ensure the neutrality of the Secretariat** in all decision-making processes.

Another key step to restoring integrity is to **strengthen the Rotterdam Convention's procedural safeguards**. The Legal Opinion proposes amendments to the **Chemical Review Committee's (CRC) Manual of Working Procedures**, introducing a mechanism that would require **chemicals recommended for listing to undergo periodic re-evaluations** if consensus has not been reached after a **defined number of COP meetings**. This would ensure that outdated information and politically motivated efforts do not dominate the agenda indefinitely, allowing for a more objective and science-based approach to chemical management.

LOOKING AHEAD

COP12 presents a crucial opportunity to **correct the mistakes of COP11 and reaffirm the foundational principles of the Rotterdam Convention**. The attempt to dismantle consensus-based decision-making must be **firmly rejected**, and those responsible for these violations must be **held accountable**. The Rotterdam Convention was not designed to serve the **political agendas of a select few** but to ensure fair and balanced chemical regulation through **transparent, cooperative, and legally sound procedures**. If Parties fail to act decisively, the Convention risks descending into an era of legal uncertainty and political manipulation, undermining its effectiveness and legitimacy on the global stage.

The events of COP11 should serve as a **wake-up call** for all Parties committed to the integrity of the Rotterdam Convention. It is no longer just a matter of **chemical listings or procedural technicalities**—it is about **defending the rule of law, preserving international trust, and ensuring that the Convention remains a legitimate tool for cooperative global chemical management**. The time to act is now.



WHY KAZAKHSTAN'S AMENDMENT IS ESSENTIAL FOR THE FUTURE OF THE ROTTERDAM CONVENTION



For nearly two decades, the Rotterdam Convention has been held hostage by a persistent issue: the endless reintroduction of unresolved chemical listings, particularly those proposed for **Annex III**. This procedural dysfunction has created an unmanageable workload for the **Conference of the Parties (COP)**, consuming the time and resources of both **Parties and the BRS Secretariat**. The Kazakhstan Amendment, to be debated at **COP12**, presents a long-overdue solution to this problem by introducing a much-needed mechanism to end fruitless discussions that repeatedly fail to achieve consensus.

The Rotterdam Convention was originally designed to facilitate the exchange of information and promote shared responsibility in the international trade of hazardous chemicals. However, over time, its effectiveness has been undermined by the insistence of some Parties on pushing for chemical listings at all costs, regardless of the scientific, political, or economic challenges involved.



THE EXAMPLE OF CHRYSOTILE ASBESTOS

The most striking example is chrysotile asbestos, which has been under consideration for inclusion in Annex III since 2006. Despite the persistent failure to achieve the required consensus, this item continues to reappear on the agenda at every COP—a process that will reach its tenth iteration at COP12. Other chemicals have followed a similar trajectory, creating a logjam that prevents the Convention from addressing emerging challenges in chemical management.

This dysfunctional process is not only frustrating for Parties but also detrimental to the credibility and effectiveness of the Convention. The BRS Secretariat, which already faces an expanding workload, is forced to dedicate disproportionate time and resources to managing the same unresolved discussions. Meanwhile, Parties find themselves trapped in a repetitive cycle, debating issues that have already been extensively discussed, while more urgent matters receive insufficient attention. The amendment proposed by Kazakhstan offers a clear, pragmatic, and effective way to resolve this procedural deadlock.

The proposal suggests that if a chemical's inclusion in **Annex III** has been discussed at three consecutive COP meetings without reaching consensus, the item should be permanently removed from the agenda. This amendment does not prevent Parties from revisiting the issue in the future through a fresh submission, but it ensures that failed discussions do not automatically persist indefinitely.



A WAY-OUT TO THE CURRENT DEADLOCK



Limiting the number of times an item can be carried forward to the next COP would immediately alleviate the excessive burden that unresolved discussions impose on the Convention, Parties, and the Secretariat. The current system of automatically reintroducing these discussions has led to a loss of valuable time and resources, distracting from other pressing issues that require attention. Reforming this process would restore efficiency to the Convention, allowing it to focus on more relevant and actionable matters.

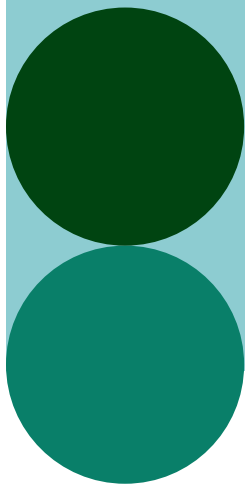
Another key benefit of this amendment is ensuring that discussions remain based on up-to-date information. **Scientific knowledge, economic conditions, and regulatory frameworks evolve over time.** Continuing discussions based on outdated information makes it increasingly difficult to reach consensus and diminishes the legitimacy of decisions. A process that drags on for decades risks being disconnected from the realities that originally justified a chemical's consideration. By setting a procedural limit, the amendment prevents this erosion of relevance and maintains the credibility of the decision-making process.

Encouraging genuine consensus-building is another crucial aspect of the Kazakhstan Amendment. The possibility of endless resubmissions has created a situation where some Parties rely on procedural loopholes rather than engaging in meaningful negotiations. If discussions cannot continue indefinitely, Parties will be more inclined to seek compromise or accept that consensus is unattainable. This reform introduces a necessary level of accountability, making it clear that the Convention is not a forum for endless debate but a mechanism for effective decision-making.

The Rotterdam Convention is at a crossroads. For too long, its agenda has been dominated by repetitive, unresolved debates that prevent it from fulfilling its core mission. The Kazakhstan Amendment is not about blocking chemical listings—it is about ensuring that the Convention operates efficiently and fairly. The current system, which allows unresolved matters to be carried forward indefinitely, has failed. It has turned the Convention into a battleground for entrenched positions rather than a forum for constructive decision-making.

COP12 presents a decisive opportunity to restore the integrity of the Rotterdam Convention. The approval of this amendment would demonstrate that Parties are committed to an efficient, rational, and forward-thinking process. It is time to move beyond political stalemates and procedural paralysis. By adopting the Kazakhstan Amendment, the Convention can finally break free from its cycle of repetition and refocus on its fundamental objective: the responsible and informed management of hazardous chemicals.





A VERY WEAK UNEP ANALYSIS

In late February 2024, a paper titled “ [Options for addressing asbestos contaminants in products and the environment¹](#) ” was distributed as an information document to the participants to the 6th session of the United Nations Environment Programme (UNEP)’s UN Environment Assembly (UNEA-6), which was held in Nairobi, Kenya. It was produced by the UNEP, in cooperation with the World Health Organization (WHO) and with input from the International Labour Organization (ILO).

The International Chrysotile Association ([ICA’s review of the UNEP document](#)) reveals that its fancy presentation and extended scientific references mostly serve to hide serious fallacies and misrepresentations. Contrary to its own title, it promotes just one single option to address the issue of asbestos contaminants: a worldwide ban of all form of asbestos.



Fundamentally, the authors ignore scientific facts and a previous UN sanctioned position emanating from the WHO's own governing body²: they deliberately base their whole analysis on the provenly erroneous premise that all asbestos fiber types (amphiboles and chrysotile) could equally cause diseases. This fundamental distortion, which provides the basis for the entire document, should in itself suffice to completely discredit it. And how can the UNEP authors ignore the fundamental fact that amphibole asbestos was banned in most of the Western world in the 1980s, and that similar actions were undertaken worldwide in the following decade?

Similarly, the document is marred by an unfortunate lack of differentiation between hazards and risks. It is well known that International Agency for Research on Cancer (IARC), which is part of the WHO, classifies substances and habits as carcinogens based on some studies and conclusions about the certainty of their hazardousness, not their health risks: this allows for the classification of sources of danger such as tobacco, solar radiation, outdoor pollution, vinyl chloride, alcoholic beverages or wood dust in the same Category 1 of carcinogenic products as all type of asbestos fibers. By ignoring this fundamental fact, the UNEP document contributes to further obfuscate issues while pretending to clarify them.

¹See: <https://documents.un.org/doc/undoc/gen/k24/003/25/pdf/k2400325.pdf>. Consulted March 2025

²See: https://apps.who.int/gb/ebwha/pdf_files/wha60/a60_r26-en.pdf, paragraph 10. Consulted March 2025

ON HEALTH-RELATED AND OTHER SPECIFIC ISSUES

Other blatant misconceptions and errors on more specific issues further discredit the UNEP document. Being central to the authors' argument, the way it addresses health issues related to asbestos use deserves particular attention. The ICA has produced a [more detailed analysis](#) of this specific issue.

Among its startling findings, the UNEP document states that “[G]lobally, in 2016, occupational exposure to asbestos caused an estimated 209,481 deaths, which stands for more than 70 percent of all deaths from work related cancers”. This figure, as well as others quoted in the document, are not factual recorded data but estimated forecast data, based on mathematical models and extrapolations. The authors provide no explanation on how this number, different from the one used by the WHO, was determined. Furthermore, their data ignores the large consensus among the scientific community that the mean latency period between first exposure to asbestos and diagnosis is approximately 42 years: deaths estimated for 2016 would have been a result of exposures that occurred in the 1970s or even earlier.

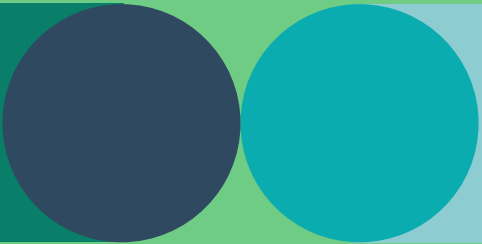
It should also be noted that the UNEP document or references cited therein provide no differential information on the potency of chrysotile alone, at exposure levels that occur today. However, such data exists, and can be found in the ICA's detailed analysis. Simply put, international scientific data provides overwhelming evidence that today, the use of chrysotile alone, without mixed amphibole exposures and at considerably lower exposure concentrations than those that occurred when many of the epidemiology studies cited in the UNEP document were performed, does not cause mesothelioma and certainly would not be associated “with 70 % of work-related cancers”.

On the topic of asbestos related-environmental impacts, it is in itself very telling that the leading global authority in its area of expertise can only come up, in its document, with three meager paragraphs filled with approximative, if not downright spurious data. Which conclusions could one possibly draw from generic affirmations such as “[A]sbestos can remain suspended in the air (...) thus contaminating areas far away from source”, or “[D]eterioration of ecosystems is evident in many asbestos sites, particularly closed/ abandoned sites”? The UNEP document also fails to mention that today, 95 % of chrysotile asbestos used around the world is encapsulated in cement matrix: even in the event of destruction, the chrysotile fibers simply couldn’t be released into the environment in any significant concentration that could pose serious risk to public health.


The UNEP document represent the first attempt by a UN body to examine issues related to asbestos fibers’ impacts from an environmental perspective, albeit mostly through the prism of its effects on human health. Unfortunately, the result should not be considered acceptable by the very UN standards its authors should have respected. Angling as it does for the complete ban of chrysotile fibers under the guise of various options is at best naïve, and most likely hypocritical.

Chrysotile fibers are an asset that we cannot afford to ignore, especially where the critical health and sanitary needs of citizens from emerging or fragile economies warrant the use efficient, durable and safe material devoid of long-term risks.





LISTING
CHEMICALS
IN ANNEX III
**IS IT A DE FACTO
BAN?**



BACKGROUND

This question will be, again, at the heart of the discussions during the Conference of the Parties (COP12) of the Rotterdam Convention (Geneva, 28 May-9 June 2025) since, for many Parties, the continuous rejection by the COP of recommendations by the Chemical Review Committee (CRC) to list chemicals is just an attack to the effectiveness of this Convention.

Beyond the disputable arguments behind this conclusion, this old but fundamental discussion has led to a failed process of inter-sessional process along the past decade including attempts to change the consensus as the key parameter for decision-taking. The climax has been in COP11 (2023) with the clumsy maneuvers led by the Secretariat of the Rotterdam Convention to call for a vote about a proposal of amendment that was finally rejected (see related article).



CALL FOR INFORMATION IN 2024 AHEAD OF THE UPCOMING DISCUSSION

The Rotterdam Convention was designed to regulate the international trade of hazardous chemicals and ensure informed decision-making regarding their import and export. However, its implementation has raised concerns about the unintended consequences of listing substances in Annex III. While its proponents argue that inclusion in Annex III is merely a regulatory tool for prior informed consent, the reality is that many countries interpret it as a de facto ban, creating severe disruptions to trade, industry, and economic stability.

The International Chrysotile Association (ICA), an official observer to the Rotterdam Convention, has responded to the recent Call for Information on Enhancing the Effectiveness of the Convention by presenting an in-depth analysis of the economic and regulatory effects of Annex III listings. ICA argues that while the stated objective of these listings is to improve safety and transparency, the real-world consequences often include market distortions, industrial setbacks, and regulatory misinterpretations that disproportionately impact developing economies.

Following COP11, the Secretariat of the Rotterdam Convention requested input from governments and stakeholders regarding the socio-economic effects of listing chemicals in Annex III. The call specifically asked for information on direct and indirect trade impacts, financial implications, challenges in implementing regulatory measures, and the feasibility of introducing alternative substances. In its submission, ICA makes the case that the inclusion of chrysotile asbestos in Annex III would not only disrupt trade but would, in practice, amount to a complete ban, even if that is not the stated intention. The Association presents compelling evidence demonstrating that even the discussion of listing a chemical already triggers severe economic repercussions, with industries experiencing significant uncertainty long before a formal decision is made.

ICA has consistently opposed the listing of chrysotile in Annex III on the basis that its safe use is possible through proper regulatory oversight and industrial safety measures. Scientific studies and real-world data confirm that controlled use minimizes risks, and yet the regulatory pressure associated with Annex III often disregards these findings.

Furthermore, while Annex III does not explicitly prohibit trade, most countries, particularly those with limited regulatory capacity, struggle to navigate the complexities of the prior informed consent process. As a result, rather than engaging in case-by-case evaluations, many governments resort to outright prohibitions, effectively eliminating the material from the market.

Beyond the immediate trade consequences, ICA warns of the market distortions created by Annex III listings. When a widely used material is suddenly restricted, artificial demand for alternatives surges, creating unfair market advantages for certain industries while forcing others into costly transitions. These alternative materials are often more expensive, and their safety profiles are not necessarily superior to those of the banned substance. In many cases, their rapid adoption is driven more by regulatory pressure than by scientific necessity.

Another major concern outlined in ICA's submission is the immense regulatory and administrative burden that Annex III listings impose. Developing countries frequently lack the resources to conduct independent assessments of listed chemicals and instead rely on regulatory frameworks imported from wealthier nations, which may not align

with their economic and industrial realities. The result is a reliance on external policies that may not reflect domestic needs, leading to unnecessary economic damage. A striking example of this issue comes from Nigeria, where the Federal Ministry of Environment mistakenly interpreted the potential listing of chrysotile as an outright ban, resulting in the rejection of a legally permissible shipment in Abuja. This case exemplifies the fundamental problem: while Annex III is not meant to act as a ban, the way it is applied in practice often leads to precisely that outcome.

ICA's position is further supported by contributions from several countries, including El Salvador, India, Pakistan, and Vietnam, all of which have provided first-hand evidence of the economic disruption caused by Annex III listings. In El Salvador, a socio-economic study has demonstrated the essential role of chrysotile in the construction industry, particularly in the production of low-cost roofing materials. Any restrictions on this material would significantly increase housing costs, disproportionately affecting low-income populations. The study also highlights the employment losses that would result from banning chrysotile-based products, as thousands of jobs in the manufacturing and construction sectors depend on its continued availability.



In India, manufacturers have raised concerns about the uncertainty created by Annex III, warning that it disrupts supply chains and restricts trade. The Fibre Cement Products Manufacturers' Association has emphasized that alternative materials do not provide the same level of affordability and durability as chrysotile-based products, making the transition both economically and practically unfeasible. In Pakistan, similar concerns have been raised, reporting that the regulatory confusion surrounding Annex III has already led to investment declines in the domestic construction sector. The lack of clarity has discouraged businesses from making long-term commitments, further destabilizing the industry.

Vietnam has also expressed alarm over the consequences of including chrysotile in Annex III. According to the Vietnam National Roofsheets Association, price fluctuations and supply shortages resulting from regulatory pressure have caused widespread uncertainty. Given that the country's construction sector relies heavily on chrysotile-based roofing for affordable infrastructure, restrictions on the material would create significant financial strain on both businesses and consumers.

These real-world examples illustrate a broader pattern: the economic, regulatory, and industrial effects of Annex III listings are far more damaging than is often acknowledged in policy discussions. The economic consequences are especially pronounced in developing countries, where industries reliant on these chemicals provide critical employment and economic stability. Restricting access to essential materials forces businesses to contend with rising costs, reduced competitiveness, and supply chain instability.

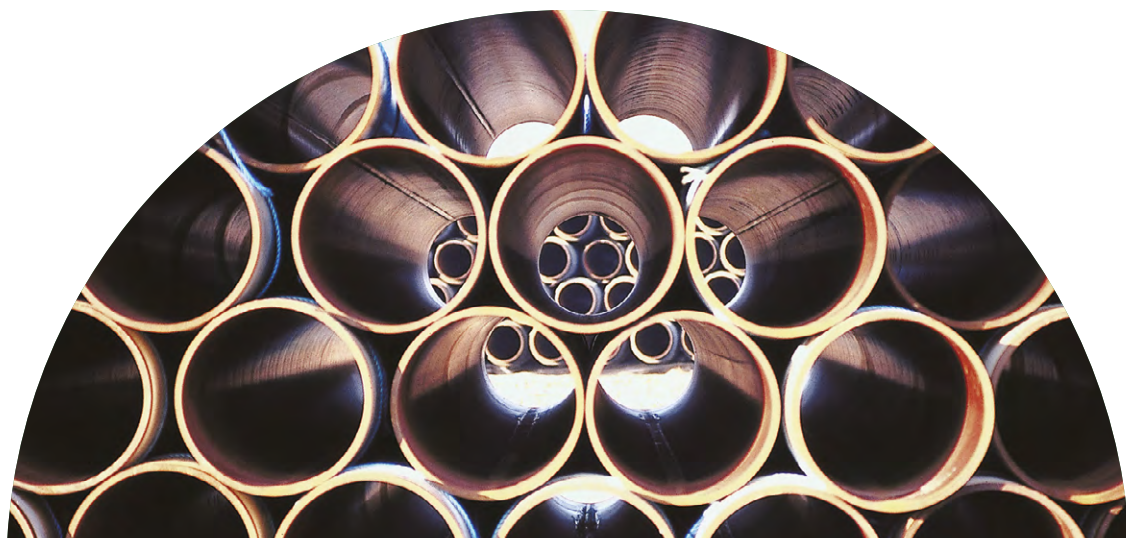
The distortion of global markets is another major issue that must be considered. Artificially promoting alternative materials disrupts competition and creates unfair advantages for select industries. The removal of established materials not only drives up prices but also forces industries and consumers to adopt substitutes that may not be subject to the same level of scrutiny.

The regulatory burden imposed by Annex III is yet another major challenge. Countries that lack the capacity to conduct independent risk assessments often resort to either blindly adopting international restrictions or applying bans without proper evaluation. This results in policies that may be poorly suited to their specific economic and industrial conditions.

The bureaucratic hurdles introduced by Annex III listings also create significant delays, making it increasingly difficult for businesses to operate with any degree of certainty.

ICA's submission to the Call for Information serves as a crucial reminder that regulatory decisions cannot be made in isolation. The real-world consequences of Annex III listings extend far beyond environmental and health considerations, reshaping global trade, disrupting industries, and affecting the livelihoods of thousands of workers worldwide. If the goal of the Rotterdam Convention is to ensure responsible chemical management, then it is essential to adopt a more balanced and evidence-based approach—one that considers both scientific assessments and economic realities. Rather than imposing trade barriers that act as de facto bans, regulators must work toward policies that enable responsible use while ensuring that industries and economies are not needlessly destabilized.

As the debate over chemical regulation continues, policymakers must recognize the broader implications of Annex III listings. The evidence from El Salvador, India, Pakistan, Vietnam, and Nigeria clearly demonstrates that the inclusion of chrysotile—or any other material—in Annex III is far more than just a regulatory measure. In practice, it is a trade ban in all but name, with consequences that extend well beyond the original intent of the Rotterdam Convention. Moving forward, it is crucial to prioritize policies that balance health and safety with economic sustainability, ensuring that regulatory measures do not cause more harm than the risks they seek to mitigate.



PARTIES' COMMENTS

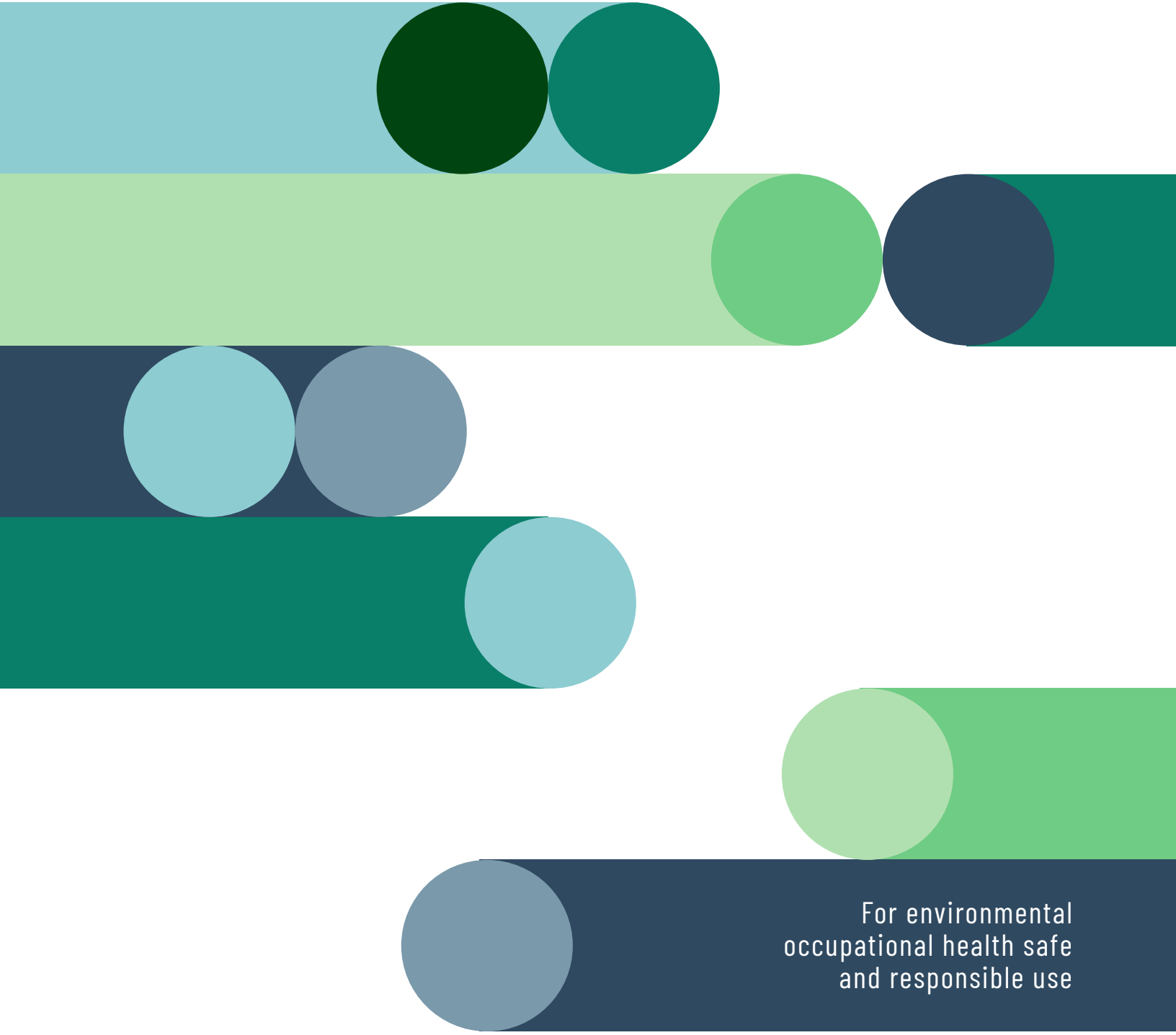
Other written contributions to the call for information from key Parties to the Rotterdam Convention such as Argentina, Brazil, Ecuador, Guatemala, Indonesia and Iran have expressed the same concern that ICA about the 'blacklist' effect of the Annex III and the consequences of phasing-out chemicals for their economies and populations.

These Parties conclude that the inclusion of a substance to Annex III without sufficiently considering the effects on local agriculture, especially when there aren't or it is difficult to have access to alternatives, seriously disrupts local economies and their people.

This blacklist effect is exemplified by the difficulties that businesses encounter in finding certification agents and insurances when dealing with chemicals listed in Annex III. Those companies, together with freight and transportation ones, are reluctant to work with businesses dealing with Annex III substances. Therefore, they are expelled from the market, despite complying with all rules and regulatory requirements.

Brazil also raises the matter of double or over regulation. FAO/WHO provides tools to assist in the classification of a substance (pesticides) as a Highly Hazardous Pesticide (HHP). One of the criteria to consider a substance HHP is that it is listed in Annex III. Many private sectors initiatives, including certification protocols and standards, use the HHP classification to list a pesticide as hazardous, and hence to deny these certificates. Therefore, the inclusion in Annex III clearly has a ban effect for those substances.

To sum up, these Parties express that the unwanted negative externalities of the de facto ban effect have to be weighted by the Parties when considering the inclusion of a chemical into Annex III. However, it often seems that the inclusion of more substances in itself is the goal for many Parties, without considering other complex economic and social repercussions of their decision.



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International Chrysotile Association

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