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LEGISLATIVE ACTS AND OTHER INSTRUMENTS

Subject: COUNCIL DECISION on the position to be taken on behalf of the European Union at the Conference of the Parties to the Rotterdam Convention regarding compliance procedures

COUNCIL DECISION (EU) 2018/...

of ...

**on the position to be taken on behalf of the European Union
at the Conference of the Parties to the Rotterdam Convention
regarding compliance procedures**

THE COUNCIL OF THE EUROPEAN UNION,

Having regard to the Treaty on the Functioning of the European Union, and in particular
Articles 192(1) and 207(3), in conjunction with Article 218(9) thereof,

Having regard to the proposal from the European Commission,

Whereas:

- (1) The Rotterdam Convention on the Prior Informed Consent Procedure for Certain Hazardous Chemicals and Pesticides in International Trade ('the Convention') was concluded on behalf of the Union by means of Council Decision 2006/730/EC¹ and entered into force on 24 February 2004.
- (2) Pursuant to Article 22 of the Convention, the Conference of the Parties may adopt additional annexes to the Convention that relate to procedural, scientific, technical or administrative matters.
- (3) At the 9th ordinary meeting of the Conference of the Parties, which is to take place from 29 April to 10 May 2019, the Parties will consider the adoption of an additional procedural annex in order to introduce a non-compliance mechanism as required by Article 17 of the Convention.

¹ Council Decision 2006/730/EC of 25 September 2006 on the conclusion, on behalf of the European Community, of the Rotterdam Convention on the Prior Informed Consent Procedure for certain hazardous chemicals and pesticides in international trade (OJ L 299, 28.10.2006, p. 23).

- (4) It is appropriate to establish the position to be taken on the Union's behalf in the Conference of the Parties, as the additional procedural annex will be binding on the Union.
- (5) The Union reaffirms that it is crucial to promote and to commit globally towards a better implementation of multilateral environmental agreements and standards.
- (6) To the extent that the Convention falls both within the competence of the Union and the competence of the Member States, the Commission and the Member States should cooperate closely for the adoption of a compliance mechanism, aiming for unity in the international representation of the Union,

HAS ADOPTED THIS DECISION:

Article 1

The position to be taken on the Union's behalf in the upcoming Conference of the Parties to the Rotterdam Convention shall be to support the draft act on compliance attached to this Decision.

Minor changes to the draft act on compliance attached to this Decision may be agreed to, in the light of developments at the upcoming Conference of the Parties, by representatives of the Union, in consultation with Member States, during on-the-spot coordination meetings, without a further decision of the Council.

Article 2

This Decision shall enter into force on the date of its adoption.

Article 3

This Decision shall be published in the *Official Journal of the European Union*.

Done at Brussels,

For the Council

The President