

NGOs AND TRADE UNIONS DEMAND THE END OF EU'S EXPORT OF BANNED PESTICIDES AND OTHER HAZARDOUS CHEMICALS

Joint Statement, 1 December 2022

Exports of banned hazardous chemicals: time to put an end to double standards

1. Hazardous chemicals, banned at a domestic level in order to protect human health and the environment, are currently produced and exported by EU countries to third countries where regulations are generally weaker.
2. An [in-depth investigation](#) has shown that, in 2018 alone, more than 81,000 tonnes of pesticides containing 41 different hazardous chemicals banned on EU fields, have been exported from European factories for use in agriculture in other countries.
3. Such agrochemicals include Syngenta's paraquat, the world's deadliest weedkiller, and acetochlor, manufactured by Bayer, which was banned in the EU over concerns related to contamination of drinking water and its potential to damage chromosomes. The EU also exports [vast amounts](#) of banned, bee-killing neonicotinoid insecticides.
4. Low- and middle-income countries like Morocco, South Africa, India, Mexico, Malaysia or Brazil were the intended destinations for the bulk of shipments. In such countries, dangerous pesticides banned in the EU [cannot be safely used](#) and have [devastating impacts](#) on both human health and the environment, resulting in [widespread infringement of human rights](#).
5. About 385 million cases of acute pesticide poisonings [occur each year](#), mainly in low- and middle-income countries, where a large proportion of the population continues to be involved in agriculture or lives in areas where pesticides are used, and where farmers often handle them unprotected.
6. The main export destinations for these banned pesticides are [countries](#) that are the biggest exporters of agri-food products to the EU. Like a boomerang, banned pesticides [find their way back to European consumers](#) via imported food, thus ending up on the dinner plates of EU citizens.
7. The EU also exports dangerous, banned industrial chemicals; in 2020, this included 21 industrial chemicals banned or severely restricted in the EU in order to protect human health or the environment. For instance, in 2020, the EU [exported](#) 539 tonnes of nonylphenol ethoxylates, an endocrine disruptor that is banned in the EU. The EU also exports cancer-causing car cadmium batteries although they are prohibited in its jurisdiction.
8. Overall, some 667,000 tonnes of hazardous chemicals banned or severely restricted in the EU were exported in 2020, [according](#) to the European Chemical Agency (ECHA).
9. "The practice of wealthy States exporting their banned toxic chemicals to poorer nations lacking the capacity to control the risks is deplorable and must end", [according to a statement](#) endorsed by 35 United Nations Human Rights Council experts in July 2020. The experts warned that the "health and environmental impacts" are externalized "on the most vulnerable", especially "communities of African descent and other people of colour".
10. As shown in a recent [legal analysis](#), by allowing the export of banned pesticides to African countries members of the Bamako Convention or parties to the Central American Regional Agreement on the Transboundary Movement of Hazardous Waste, the EU violates its international obligations under the Basel Convention on the Control of Transboundary Movements of Hazardous Wastes and their Disposal, and customary law, as well as its international human rights obligations.

The European Commission must live up to its commitment to "lead by example"

11. On 14 October 2020, in its [Chemicals Strategy for Sustainability](#), the European Commission committed that the EU will "lead by example, and, in line with international commitments, ensure that hazardous chemicals banned in the European Union are not produced for export, including by amending relevant legislation if and as needed."
12. The commitment of the European Commission to prohibit the export of hazardous chemicals banned in the EU was welcomed by dozens of civil society organizations in an [open letter](#). In addition, almost 70 MEPs [wrote](#) to the President of the Commission, welcoming its promise to end this practice, while stressing that "concrete actions are urgently needed".
13. On 9 December 2020, the Commission [confirmed](#) that it is "currently considering the various options for implementing this objective, including a revision of the legislation" to prevent the export of hazardous chemicals, including pesticides, that have been banned in the EU.
14. In March 2021, the Council of the European Union stated that it "[expressly welcomes](#)" the initiative of the Chemical Strategy to address "the production for export of harmful chemicals not allowed in the European Union". The Commission is now expected to produce a legislative proposal by 2023.

15. In the meantime, Member States are taking the lead. France has already prohibited the export of pesticides which are banned in the EU for reasons of health or environmental protection. Germany is also moving towards the [adoption](#) of a legal prohibition on the export of banned pesticides. Other countries are considering the adoption of similar measures.
16. We call, with utmost urgency, on the European Commission to uphold its commitment and table, without further delay, a legislative proposal to prohibit the export of all pesticides and other hazardous chemicals banned at EU level, to put an end to double standards, and to ensure a level-playing field for the industry and harmonization between national legislations.
17. The EU must play a global leadership role on this issue. An EU-wide export ban will be an important step towards implementing the [commitment](#), stated in the Chemicals Strategy, that the EU will show “international leadership” by “setting the example for a global sound management of chemicals” and “play a leading role to champion and promote high standards in the world”.
18. A ban will also inspire non-EU countries to follow, and to also prohibit the export of dangerous pesticides and other hazardous chemicals that are banned in their own jurisdictions, in order to protect human health, occupational health and safety, and the environment.
19. An EU-wide export ban will promote a global transition away from the use of those dangerous chemicals and a move towards more sustainable practices and safer alternatives, sending a strong signal to governments and companies that such hazardous pesticides and chemicals should not be used anywhere in the world. This will help trigger the highly needed investments and funding for the development and implementation of alternative practices like Integrated Pest Management, Integrated Weed Management, agroforestry and agroecology.

Ensuring an effective export ban by amending the EU PIC Regulation

20. The EU should prohibit the export of banned chemicals by amending the [PIC Regulation](#) (EU Regulation No 649/2012 concerning the export and import of hazardous chemicals).
21. The PIC Regulation [governs](#) the trade of hazardous chemicals that are banned or severely restricted in the EU, places obligations on companies that wish to export these chemicals to non-EU countries or import them into the EU.
22. The objectives of the PIC Regulation are to “promote shared responsibility and cooperative efforts in the international movement of hazardous chemicals to protect human health and the environment from potential harm” and “contribute to the environmentally sound use of hazardous chemicals”.
23. The PIC Regulation has a list of chemicals that have been banned or severely restricted in the EU in order to protect human health and/or the environment. It also contains a mechanism to annually update this list with newly banned or severely restricted chemicals. PIC already includes an export ban that applies to a small list of hazardous chemicals (listed in its Annex V).
24. The PIC Regulation is therefore the most adequate piece of legislation for implementing an EU-wide export ban.
25. While within the EU, the PIC Regulation implements the [Rotterdam Convention](#) on the Prior Informed Consent Procedure for Certain Hazardous Chemicals and Pesticides in International Trade, which mainly concerns the facilitation of information exchange so that importing countries are informed about the export of certain hazardous chemicals and their characteristics, its Article 15 makes it clear that “nothing in this Convention shall be interpreted as restricting the right of the Parties to take action that is more stringently protective of human health and the environment than that called for in this Convention”.

The export ban should apply to all banned chemicals

32. There are currently 260 hazardous chemicals [listed](#) in Annex I of the EU PIC regulation, of which 59 are industrial chemicals, three are severely hazardous formulations and 207 are pesticides. Some of the chemicals are groups of chemicals that include dozens of different compounds. The list is updated every year with newly banned chemicals.
33. Of those, 32 industrial chemicals, three severely hazardous formulations and 193 pesticides are listed in the EU PIC regulation because they have been banned in order to protect human health or the environment. All banned industrial chemicals subject to PIC are either banned for consumer use or banned for professional use, or for both use categories. Similarly, all banned pesticides listed in PIC are either banned as plant protection products or banned for use as biocides (such as disinfectants or parasiticides) , or in both use categories.

34. The export ban should apply to all chemicals that have been listed in PIC as having been banned in order to protect human health or the environment, when the intended use in the importing country is one that is prohibited in the EU. The Commission should put in place strong control measures to ensure compliance.
35. All pesticides banned as plant protection products should be prohibited from being exported for use as plant protection products. Similarly, the export of pesticides banned as biocides should be prohibited if their use in the destination country is as biocides. Similarly, the export of industrial chemicals banned for professional use in the EU should be prohibited for professional use elsewhere. Export of industrial chemicals for consumer use outside the EU should be disallowed if they are banned for consumer use within the EU.
36. The export ban should apply regardless of whether the chemicals are exported as pure substances, or in mixtures or articles.
37. A further 19 pesticides and 36 industrial chemicals are listed in Annex I of the EU PIC Regulation as having been “severely restricted” to protect human health or the environment. This typically means that the use of the chemicals is allowed only under certain strict conditions.
38. The export of those chemicals should only be allowed for uses that are approved in the EU, with strict provisions in place to ensure compliance in importing countries.

The export ban should apply to all countries

39. Among the destinations for EU exports of banned chemicals are OECD countries such as the United States, Japan and Australia. An EU export ban should apply to all countries, including OECD members.
40. Dangerous chemicals have the same impact on people’s health and the environment, regardless of where they are used.
41. For example, paraquat, which was [banned in the EU](#) because of concerns related to farmers’ exposure and possible links between paraquat and Parkinson’s disease, has created [similar health problems in the US](#), which is the main export destination for the EU’s paraquat exports. Hundreds of US agricultural workers have developed Parkinson’s disease as a result of occupational exposure to paraquat and have [sued](#) its manufacturer, Syngenta.
42. An export ban that would allow the export of banned chemicals to other OECD countries would also inevitably create loopholes as nothing would prevent these countries re-exporting those chemicals to low- or middle-income countries.
43. The European Commission’s commitment to ban the export of banned chemicals makes no distinction between export destinations. Also, neither the Rotterdam Convention nor the EU PIC Regulation make any distinction between OECD and non-OECD countries in terms of the trade restrictions that apply to the export of hazardous chemicals.

Additional measures should be adopted to support a global transition

44. A prohibition on the export of banned chemicals is an important first step, but it must be complemented by other measures. The EU must assess the needs of farmers and agricultural workers in low-and-middle income countries, and put in place just transition measures to support them in their transition away from hazardous chemicals, and towards safer and sustainable alternatives, especially Integrated Pest Management, Integrated Weed Management, agroforestry and agroecology. These farmers must be supported in their transition towards sustainable food production systems, to ensure they are not subject to a higher risk of crop losses and are not forced to buy those hazardous chemicals from somewhere else.
45. European manufacturers that [make](#) huge profits from the sale of hazardous, banned chemicals in low-and-middle income countries also produce a vast amount of those products outside Europe, the sales of which will remain unaffected by an EU export ban. Likewise, manufacturers could evade the export ban by moving production to other sites, outside the EU. We therefore call on the Commission to implement without delay its [commitment](#) in the Chemical Strategy to “promote due diligence for the production and use of chemicals within the upcoming initiative on sustainable corporate governance” and clarify that agrochemical companies headquartered in the EU are prohibited from producing or selling dangerous chemicals that are banned in the EU anywhere in the world.
46. We also call on the European Commission to implement the EU [commitment](#) to “use all its diplomacy, trade policy and development support instruments” to promote the “phasing out” of the use of pesticides no longer approved in the EU and “to promote low-risk substances and alternatives to pesticides globally”. This could be achieved by establishing, in cooperation with FAO, WHO, UNEP and ILO, a new UN mechanism to promote a global phase-out of highly hazardous pesticides in agriculture by 2030.

47. The Commission should also engage in dialogue and cooperation with partner countries, including in the framework of Trade and Sustainable Development Chapters and Sustainable Food Systems Chapters in trade agreements, and leverage the [Global Europe](#) instrument to work on national roadmaps and specific programmes and partnerships that will support partner countries to their transition towards sustainable food systems and the achievement of sustainable development.
48. Ensuring a global transition also implies ending the import of agricultural and agri-food products that have been treated with pesticides banned in the EU, as well as other products made with chemicals banned in the EU. It is a question of putting an end to the export of the most unsustainable impacts of our EU consumption and prioritising the the health of agricultural workers, the population, and the environment in producing countries.

The following 326 NGOs and trade unions endorse this statement

Europe

Austria

Aerztinnen fuer eine gesunde Umwelt (AEGU)
DKA Austria
GLOBAL 2000
ÖBV-Via Campesina Austria
PRO-GE
PRO-GE Produktionsgewerkschaft

Belgium

European Environmental Bureau (EEB)
Corporate Europe Observatory (CEO)
Slow Food Europe
Friends of the Earth Europe
Greenpeace European Unit
Health and Environment Alliance
IBON International Europe
International Union of Agroforestry
Agroecology Europe
Agroecology In Action
Association of European Cancer Leagues (ECL)
European Coordination Via Campesina (ECVC)
European Trade Union Confederation
CV Voeding en Diensten
Red europea de Comités Oscar Romero (SICSAL-Europa)
Solidagro
EuroCoop
SOS Faim
Quinoa
Entraide et Fraternité
EPBA
Ecoropa
European Network of Scientists for Social and Environmental Responsibility (ENSSER)
Bond Beter Leefmilieu
Broederlijk Delen
CANOPEA
CETRI - Centre tricontinental
CNCD-11.11.11 (Belgium)
Confédération des Syndicats Chrétiens (ACV-CSC)
Eclodio
EFFAT
FOS.ngo
Iles de Paix
NGO Shipbreaking Platform
Viva Salud

Bulgaria

Federation of Independent Trade Unions in Agriculture
Via Pontifica Foundation

Cyprus

Federation of Environmental Organisations in Cyprus (FEOC NGOs)

Czech Republic

Arnika - Toxics and Waste Programme

Estonia

Estonian Green Movement

France

Confederation paysanne (L'agro écologie produit plus et mieux)
Généérations Futures
Adeny
Adéquations
Aitec
Alerte des Médecins sur les Pesticides
Attac
Bio consom'acteurs
Confédération paysanne
FGA CFDT
FGTA-FO
Fondation pour la Nature et l'Homme
foodwatch France
Friends of the Earth France
Ingénieurs sans Frontières - AgriSTA
PAN Europe
POLLINIS
Réseau Environnement Santé (RES)
Syndicat National d'Apiculture
Union Nationale de l'Apiculture Française (UNAF) /
National Union of French Beekeeping
Veblen Institute for economic reforms
NEO-AGRI

Finland

Maan ystävät / Friends of the Earth Finland

Germany

Coordination gegen BAYER-Gefahren
FDCL - Forschungs- und Dokumentationszentrum Chile-Lateinamerika e.V.
Romero Initiative (CIR)
Agrar Koordination / Forum für Internationale Agrarpolitik e.V.
Association of Ethical Shareholders Germany
BUND e.V.
European Network for Environmental Medicine
Fairtrade International e.V.
FDCL - Forschungs- und Dokumentationszentrum Chile-Lateinamerika e.V.
FIAN Deutschland
foodwatch International
Gen-ethisches Netzwerk e.V.
German NGO Forum on Environment and Development
Grassroots Foundation
Health and Environment Justice Support (HEJSupport)
Heinrich Böll Stiftung
Informationsstelle Peru
INKOTA
MISEREOR
NABU (Naturschutzbund Deutschland e.V.)
Pestizid Aktions-Netzwerk e.V. (PAN Germany)
PowerShift e.V.
Save Our Seeds
WeMove Europe

Greece

ECOCITY

Hungary

Humusz Szövetség

Ireland

Feasta: the Foundation for the Economics of Sustainability
Friends of the Irish Environment
The Organic Centre
IEN
ibreastfeed CIC

Italy

Fairwatch
Focsiv Italian Federation Christian NGOs
ICW-CIF
ISDE, Associazione Medici per l'Ambiente Italia
Navdanya International
Schola Campesina Aps
ISDE (International Doctors for Environment)

Luxembourg

Action Solidarité Tiers Monde (ASTM)
Mouvement écologique
People's Coalition on Food Sovereignty (PCFS)
SOS Faim

Latvia

NGO Ekodizaina kompetences centrs
Pasaules Dabas Fonds

Macedonia

Journalists for Human Rights

The Netherlands

FNV
Feedback EU
Foodwatch NL
Mans' Consultancy
Stichting Corazon
Stichting Ecobaby
VanHam
FTAO
Pesticide Action Network (PAN NL)
Rainforest Alliance
Women Engage for a Common Future (WECF)
Stichting Mission Lanka
Voedsel Anders NL

Portugal

ACTUAR
Projeto Origens - como tudo começa.
TROCA - Plataforma por um Comércio Internacional Justo
ZERO - Associação Sistema Terrestre Sustentável

Poland

Society for Earth (TNZ)

Slovakia

Trade Union of Agricultural Workers

Slovenia

Center for Sustainable Rural Development Kranj
Umanotera - The Slovenian Foundation for Sustainable Development

Spain

Amigos de la Tierra
Ecologistas en Acción
GRAIN
Asociación Bee Garden
Asociación Entrepueblos
Fundación Alborada
Hogar Sin Tóxicos
Institut Marquès
GFC
NEO-AGRI

Sweden

Kommunal
We Effect

Switzerland

Center for International Environmental Law (CIEL)
Colibri Assoc, Switzerland
Colibri Assoc.
SWISSAID
Race for Water Foundation
IUF
Public Eye

UK

Cancer Prevention & Education Society
Hazards CAMPAIGN
Scottish Hazards
Baby Milk Action IBFAN UK
Biofuelwatch
CAFOD
Greater Manchester Hazards Centre
Pesticide Action Network UK (PAN UK)
EcoNexus

Ukraine

All Ukraine NGO Living Planet
Trade union of the Agro-industrial complex of Ukraine

Africa

Burkina Faso

Association Jeunesse pour l'Environnement et le Développement Durable (AJEDD)

Benin

ONG La Grande Puissance De Dieu

Cameroon

SHIA International
Centre De Recherche et d'Education Pour le Developpement (CREPD)
CREPD
Nanny Africa
A U. Cosendai
CREPD
Action des Femmes pour une planète Bio

Ethiopia

Institute for Sustainable Development (ISD)

Egypt

High institute of public health

Ghana

AbibiNsroma Foundation
Food Sovereignty Ghana
Global media foundation
Ako Foundation
Ecological Restorations

Guiné-Bissau

RENARSADA

Kenya

Agatha Amani House)
Centre for Environment Justice and Development (CEJAD)
Emonyoye Yefwe Internationa
Kenya Organic Agriculture Network
KOAN
Lake Victoria Basin Talent Development and Adolescent Health
PELUM Kenya
Resources Oriented Development Initiatives (RODI Kenya)

Liberia

Aalem for Orphan and Vulnerable Children

Mauritius

DION (Small Island Developing States)

Morocco

Moroccan Association Environmental Health and Toxicivigilance (AMSETOX)

Nigeria

Alliance for Action on Pesticide in Nigeria (AAPN)
Cal-Maji Foundation
Community Action Against Plastic Waste (CAPws)
Heinrich Boell Stiftung Nigeria
Susutaianble Research and Action for Environmental Development (SRADeV)
International Union of Foods
Pan African Vision for the Environment

RDC Congo

Association pour la Conservation et la Protection des Ecosystèmes des Lacs et l'Agriculture Durable

Togo

Welfare Togo

Tunesia

AEEFG
APEDDUB

Tanzania

IRTECO
Kagera Development and Credit Revolving Fund
Networking for Society Development Organization (NESODO)
Networking for Society Development Organization (NESODO)
Rejuvenation Foods Africa Ltd
Organization for Rural Self-Help Initiatives
Irrigation Training and Economic Empowerment Organization (IRTECO)

Somalia

Somali Greenpeace Association

Sénégal

Pesticide Action Network (PAN Africa)

Sierra Leone

Campaign for Human Rights and Development International
Civil Society Advocacy Network on Climate Change and the Environment Sierra Leone (CAN-SL)

South Africa

Khanyisa Education and Development Trust
African Centre for Biodiversity
Biowatch
Biowatch SA
Blue Sky Organics
Csaawu
Greenpeace Africa
Groundwork
Land access movement of South Africa
Private
Rural Women Assembly (RWA)
South African Organic Sector Organisation
Spanjaardskloof Residents Association
TCOE
The Groundwork Trust
The Third Sector (Pty) Ltf
Trust for Community Outreach and Education
UnPoison
Women on Farms Project
Department of Education
Green Network SA
Intuthuko CES
Women on Farms
Small farmer

Sudan

Sudan Nile Discourse Form (SNDF)

Uganda

Bio Vision Africa
Centre for Citizens Conserving Environment & Management (CECIC)
Western media for environment and conservation
-WEMECO

Zambia

Children's Environmental Health Foundation (CEHF)
Muchi Childrens Home
Pelum Zambia
Zambia Climate Change Network (ZCCN)

Zimbabwe

SAFCEI
Afrofresh

Asia

Bangladesh

Bangladesh Occupational Safety, Health and Environment
Foundation (OSHE foundation)
ISDE Bangladesh
Social Assistance and Rehabilitation for the Physically
Vulnerable (SARPV)
Bangladesh Occupational Health, Safety and
Environmental Foundation

Cambodia

PCFS Asia

India

Aliiance for Sustainable and Holistic Agriculture (ASHA-
Kisan Swaraj)
Association For Promotion Sustainable Development
Hamraah Foundation
People's Empowerment and Development Seva Society
Universal Versatile Society
Association For Promotion Sustainable Development

Indonesia

ECOTON Foundation
FIAN Indonesia
IUF Asia/Pacific
Perkumpulan INISIATIF
Indonesia for Global Justice (IGJ)

Lebanon

CREAL
IndyACT

Malaysia

Consumers' Association of Penang
Environmental Protection Society Malaysia
PAN Asia Pacific
Sahabat Alam Malaysia (Friends of the Earth)
Tanjong Bunga Residents Association TBRA

Vietnam

CGFED

Pakistan

Pakistan Fisherfolk Forum
Roots for Equity

Palestine

PAEEP

Korea

National Cancer Center

Kyrgyzstan-Uzbekistan-Tajikistan

Toxic action network Central Asia

Philippines

Good Food Community
TJG

Iraq

Together to protect Human & the Environment Association

Jordan

Hands for Environment and Sustainable Development

Latin-America

Brasil

Abrasco
Agapan
Aposentada
Aposentado
Furg
Instituto Caminho do Meio
Movimento de Justiça e Direitos Humanos
Uefs
Campanha Permanente Contra os Agrotóxicos e Pela Vida
Cooperativa ARCOO
Idec - Brazilian Institute for Consumers Defense
Ufrgs
Universidade Federal do Rio Grande do Sul
Regenera Institute
Unesp

Chile

Red de Acción por los Derechos Ambientales RADA

Colombia

FIAN Colombia

Ecuador

Acción Ecológica

Mexico

Red de Acción sobre Plaguicidas y sus Alternativas en México
(RAPAM / Pesticide Action network Mexico)
Casa Cem- Vias Verdes A.C.
Equidad de Género: Ciudadanía, Trabajo y Familia
RAPAL

Uruguay

REDES-Amigos de la Tierra Uruguay

Paraguay

Heñói - Centro de Estudios

Jamaica

The Caribbean Poison Information Network

Oceania

Australia

National Toxics Network

New-Zealand

PAN Aotearoa New Zealand

Papua New Guinea

Sustainable Alluvial Mining Services

North-America

USA

CleanEarth4Kids.org
Green America
Mass. Coalition for Occupational Safety and Health
Pesticide Action Network North America (PANNA)
World Information Transfer, Inc
Family Farm Defenders
Farmworker Association of Florida
International Campaign for Responsible Technology

International

FIAN International e.V.
Health and Environment Justice Support (HEJSupport)
Justice Pesticides
SumOfUs