

ONIP AND IMPLEMENTATION REPORT OF THE RECOMMENDATION ON ILLEGAL TRADE.

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Organisation for Economic Co-operation and Development (OECD)

OECD: Intergovernmental Organisation currently 38 industrialised countries, and 8 accession candidates

EU

- Austria
- Belgium
- Czechia
- Denmark
- Estonia
- Finland
- France
- Germany
- Greece
- Hungary
- Ireland
- Italy
- Latvia
- Lithuania
- Luxembourg

- The Netherlands
- Poland
- Portugal
- Slovak Republic
- Slovenia
- Spain
- Sweden

EUROPEAN NON-EU

- Iceland
- Israel
- Norway
- Switzerland
- Türkiye
- United Kingdom

AMERICAS

- Canada
- Chile
- Colombia
- Costa Rica
- Mexico
- United States

ASIA - PACIFIC

- Australia
- Japan
- New Zealand
- South Korea

Accession candidates

- Argentina
- Brazil
- Bulgaria
- Croatia
- Indonesia
- Peru
- Romania
- Thailand

Illegal trade in pesticides: Definition

Illegal trade of agricultural pesticides:

refers to any form of trade of an agricultural pesticide that leads to a violation of domestic law, including counterfeiting, fraud and other forms of deception.



Illegal trade in pesticides: impact

Problem: Distortion of pesticide markets

- Has economic impacts:
 - on farmers
 - on pesticide manufacturers
- Poses a threat to human health and the environment
- Undermines national legislations on pesticide registration and the credibility of regulatory authorities



Illegal trade in pesticides: ONIP

OECD Response: 2012 - formation of the OECD Network on Illegal Trade of Pesticides (**ONIP**)

- Raising awareness
- Improving collaboration within and between countries, e.g. through the OECD Council Recommendation and use of the Rapid Alert System (RAS)
- Developing best practices, e.g. as described in the **Best Practice Guidance (BPG)**, develop **training** for inspectors/policy makers,



ONIP meeting - 26 February 2024 -

72 delegates representing 32 delegations

Invited organisations:

- The European Anti-Fraud Office (OLAF)
 - Joint Customs Operation (ASEM)
- United Nations Food and Agricultural Organisation (FAO)
 - Guidance Notes on illegal pesticides trade + online trade
- World Customs Organisation (WCO)
 - IPR infringements, liasing with customs, CEN network
- EUROPOL
 - Operational support and Operation SilverAxe



ONIP meeting - 26 February 2024 -

- Case updates from member countries
- ICCM5 adopted Global Framework on Chemicals For a Planet Free of Harm from Chemicals and Waste – Target A4
 - By 2030, stakeholders have effectively prevented all illegal trade and traffic of chemicals and waste
- Compliance Monitoring and Enforcement for Imported Pesticide Products
- Secretariat updates
- Interaction with origin countries, LMICs, NGOs
- Training of inspectors
- Capacity building

Illegal trade in pesticides: OECD Council Recommendation

Established a **legal framework to strengthen activities against illegal trade in pesticides**, that would:

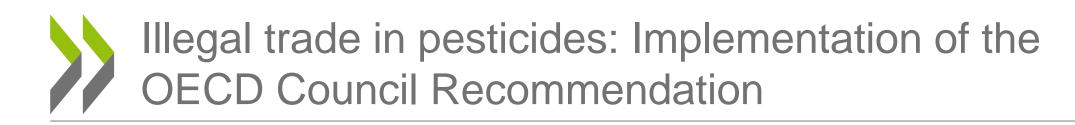
- Encourage countries to fight illegal international trade of agricultural pesticides at **national** level
- Encourage countries to facilitate international cooperation



Illegal trade in pesticides: Focus of the OECD Council Recommendation

Recommends that Adherents establish or strengthen national procedures aimed at countering the illegal trade of agricultural pesticides in line with the Best Practice Guidance, taking into account national priorities, policies and programmes. To that effect, Adherents should:

- i. Ensure there is an appropriate regulatory framework for the management of agricultural pesticides;
- ii. Ensure there are systems in place to detect and take regulatory action against illegal trade of pesticides;
- iii. Co-operate on minimising the illegal trade of pesticides.



Recommendation on Countering the Illegal Trade of Pesticides [OECD/LEGAL/0446]

Adopted in 2019

• CBC to monitor implementation and to report to the Council five years from the date of its adoption and regularly thereafter 2024



Illegal trade in pesticides: Rapid Alert System (RAS)

The **RAS** provides a secure portal to:

- Quickly **provide information**, to select government officials, about shipments that are suspect,
- Thereby increasing the response time for receiving ports to thoroughly verify documents,
- Heighten efficiency of border controls, and
- Increase the knowledge base about illegal traders.



Illegal trade in pesticides: Best Practice Guidance (BPG)

The **BPG** describes best practices for identifying, and responding to, illegal trade throughout the **life cycle** of a pesticide.

The **BPG** is included in the Council Recommendation as a **tool to develop national programmes**.

The lifecycle of pesticides

- The Guidance provides recommendations to identify illegal pesticides throughout the complete lifecycle of a pesticide.
- Regulatory authorities and inspectors can then take more effective action at different parts of the pesticides supply chain.



Restricted Use - À usage restreint



Council Recommendation and Best Practice Guidance are available online

The <u>Recommendation of the Council</u> is available on the Compendium of OECD Legal Instruments:

- https://legalinstruments.oecd.org/en/instruments/en/instrument
- https://legalinstruments.oecd.org/fr/instruments/OECD-LEGAL-0446 (in French)

The <u>Best Practice Guidance</u> to identify Illegal Trade of Pesticides is available on the OECD public site:

• Series on Pesticides, no 99: <u>Best Practice Guidance</u> to Identify Illegal Trade of Pesticides



Implementation of the OECD Council Recommendation

• Survey launched in August 2023 with the OECD Secretariat gathering additional information

- Responses represent 87% of OECD
- Additional responses from Accession Candidate Countries

• Implementation report by Council declassified in June 2024 [C(2024)96]



Implementation of the OECD Council Recommendation - High level overview

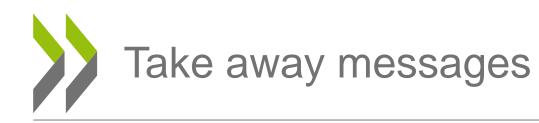
- Overall approval by CBC, i.e.
 - "the Recommendation remains effective, up-to-date and relevant. The Recommendation does not, therefore, require any revision in the short-to-medium term."

• Respondents suggested strengthening a variety of activities, which could be achieved through the activities of ONIP, an update of the Best Practice Guidance, but without the need to update the Recommendation itself.



Implementation of the OECD Council Recommendation - High level overview

- Suggested items for inclusion in the BPG resonate well with ONIP discussions, e.g.
- illegal online trade;
- international cooperation,
 - by strengthening co-operation with other international organisations, in particular with the other Participating Organisations of the Inter-Organization Programme for the Sound Management of Chemicals (IOMC);
 - strengthen the support of OECD for developing countries.
- Investigate the use of AI to aid in the risk assessment of illegal goods.
- Further dissemination within, between and beyond governments remains necessary to raise awareness about the Recommendation.



- Coordinated action is key. Make use of existing expertise and networks to the maximum extent. Cooperate!
- Any Non-OECD Countries can adhere to the OECD Recommendation on Countering the Illegal trade of Pesticides.
- Use and disseminate the Best Practice Guidance to increase a common understanding of Illegal Pesticides and their Trade.
- Stay vigilant, adapt, and consider the use of new technologies.

Thank you very much!

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