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**United Nations  
Environment  
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**Stockholm Convention on Persistent Organic Pollutants  
Persistent Organic Pollutants Review Committee  
Third meeting**

Geneva, 19–23 November 2007

Item 4 (c) (ii) of the provisional agenda\*

**Operational issues: questions raised during the intersessional period and to be considered by the Persistent Organic Pollutants Review Committee: communication to Parties of the recommendations of the Committee to amend the Convention by listing a chemical in Annex A, B, or C of the Convention**

**Communication of the Persistent Organic Pollutants Review  
Committee's recommendations to the Conference of the Parties  
for it to consider listing a chemical in Annex A, B or C of the  
Convention, thereby amending Annex A, B or C**

**Note by the Secretariat**

The annex to the present note contains draft elements of a letter to Parties and observers communicating the Committee's recommendations to the Conference of the Parties for it to consider listing a chemical in Annex A, B or C of the Convention, thereby amending Annex A, B or C, in accordance with the procedure set out in Articles 21 and 22 of the Convention.

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\* UNEP/POPS/COP.3/1/Rev.2.

## Annex

### **Draft elements of a letter to Parties and observers communicating the Committee's recommendations to the Conference of the Parties for it to consider listing a chemical in Annex A, B or C of the Convention, thereby amending Annex A, B or C**

**Subject: Communication of the recommendations of the Persistent Organic Pollutants Review Committee to the Conference of the Parties to consider listing the chemicals [X, Y and Z] in Annexes A, B and/or C of the Stockholm Convention, thereby amending those Annexes**

Dear Madam/Sir,

The third meeting of the Persistent Organic Pollutants Review Committee of the Stockholm Convention took place from 19 to 23 November 2007 in Geneva. The report of the meeting will be available at the Convention website: [http://www.pops.int/documents/meetings/poprc/meeting\\_docs/reports/default.htm](http://www.pops.int/documents/meetings/poprc/meeting_docs/reports/default.htm).

At its third meeting, the Persistent Organic Pollutants Review Committee had before it the risk profiles prepared in accordance with Annex E of the Convention and the risk management evaluations prepared in accordance with Annex F of Convention for the chemicals listed below.

The Committee completed its review of the available documents, considered the possible control measures, the available social and economic information, and comments and information submitted by Parties and observers relating to the considerations specified in Annex F. The Committee decided to recommend to the Conference of the Parties in accordance with paragraph 9 of Article 8 of the Convention that:

1. [Chemical X] should be considered by the Conference of the Parties for listing in Annex [...] of the Convention;
2. [Chemical Y] should be considered by the Conference of the Parties for listing in Annex [...] of the Convention;
3. [Chemical Z] should be considered by the Conference of the Parties for listing in Annex [...] of the Convention;
4. ....

Paragraph 9 of Article 8 of the Convention provides that, in the event that the Committee makes a recommendation on whether a chemical should be considered by the Conference of the Parties for listing in Annexes A, B and/or C, "the Conference of the Parties, taking due account of the recommendations of the Committee, including any scientific uncertainty, shall decide, in a precautionary manner, whether to list the chemical, and specify its related control measures, in Annexes A, B and/or C". If the Conference of the Parties decides to list the chemicals in Annexes A, B and/or C, the respective Annex or Annexes will be amended in accordance with Articles 21 and 22 of the Convention. Amendments to Annexes A, B and/or C will enter into force in accordance with paragraph 3 and 4 of Article 22 and paragraph 4 of Article 25.

Parties are therefore invited to be prepared to discuss the listing of the chemicals [X, Y, and Z] in Annexes A, B and/or C of the Convention as recommended by the Persistent Organic Pollutant Review Committee. Parties are reminded that, in accordance with rule 19 of the rules of procedure for the Conference of the Parties, in order to take part in the decision-making process at the fourth meeting of the Conference of the Parties their representatives must be accredited with credentials issued either by the head of State or Government or by the minister of foreign affairs or, in the case of a regional economic integration organization, by the competent authority of that organization.

The annex to the present letter provides a summary of the implications for Parties of listing a chemical in Annex A, B or C of the Convention, including the actions that Parties must take upon the entry into force of the amendment listing a chemical.

Parties are invited to notify the Secretariat by 2 January 2009 of any relevant issue that they may wish to raise at the fourth meeting of the Conference of the Parties. The Secretariat will provide the Conference of the Parties a compilation of the issues submitted. Submissions should be sent to the Secretariat of the Stockholm Convention, preferably by e-mail ([ssc@pops.int](mailto:ssc@pops.int)), or by regular mail to:

Secretariat of the Stockholm Convention  
Att: POPs Review Committee  
United Nations Environment Programme  
11-13 chemin des Anémones  
CH-1219, Châtelaine, Geneva, Switzerland  
Fax: (+41 22) 917 80 98

If you have any questions regarding this information, please do not hesitate to contact Fatoumata Keita Ouane, Stockholm Convention Secretariat (e-mail: [fouane@pops.int](mailto:fouane@pops.int); telephone: +41 22 917 81 61).

Yours sincerely,

Donald Cooper  
Executive Secretary  
Stockholm Convention

## **Annex to the draft elements of a letter to Parties and observers communicating the Committee's recommendations to the Conference of the Parties for it to consider listing a chemical in Annex A, B or C of the Convention, thereby amending Annex A, B or C**

The present annex is intended to remind Parties of some major obligations that they will need to address following the listing of new chemicals in the Annexes to the Convention. The present annex does not intend to be comprehensive or to replace the Convention text, which is the only official text on the matter.

### **Consequences for Parties of listing a chemical in Annex A, B or C of the Stockholm Convention**

#### **I. Aim of listing chemicals in Annex A, B or C**

##### **Annex A**

**Goal:** Elimination of production and use of all intentionally produced persistent organic pollutants.

**Import and export:** in accordance with the provisions of paragraph 2 of Article 3 of the Convention.

##### **Annex B**

**Goal:** Restriction of production and use, in accordance with the provisions of that Annex.

##### **Annex C**

**Goal:** Continuing minimization and, where feasible, ultimate elimination of the total releases of chemicals.

#### **II. Obligations for Parties upon entry into force of an amendment listing a substance in Annex A, B or C to the Convention**

1. Upon entry into force of the amendment listing a substance in Annex A, B or C to the Convention, Parties must:

(a) Implement control measures on the chemical listed, designing those control measures in accordance with the Annex and the specific considerations listed for the chemical in that Annex;

(b) Pursuant to Article 7 of the Convention, and taking into account the annex to decision SC-2/7, review and, if necessary, update their national implementation plans in order to address the following issues as they relate to each of the substances added to the Convention.

##### **A. Measures to reduce or eliminate releases from intentional production and use (Article 3)**

2. In the case of intentionally produced persistent organic pollutants, Parties must:

(a) Prohibit and/or take measures to eliminate (Annex A chemicals) or restrict (Annex B chemicals) the production and use of the chemical in question;

(b) Determine, if relevant, the need to request a specific exemption as per Article 4 of the Convention and notify the Secretariat;

(c) Take measures to comply with trade restrictions specified in the Convention.

##### **B. Measures to reduce or eliminate releases from unintentionally production (Article 5):**

3. In the case of unintentionally produced persistent organic pollutants (Annex C chemicals), Parties must, as a minimum:

- (a) Develop an action plan, including inventories or estimates of current and projected releases;
- (b) Promote measures to achieve a meaningful level of release reduction or source elimination;
- (c) Promote the development of substitute materials, products, processes to prevent the formation and release of chemicals listed in Annex C;
- (d) Promote or require the use of best available techniques and promote the use of best environmental practices for identified sources categories.

**C. Measures to reduce or eliminate releases from stockpiles and wastes (Article 6)**

4. In the case of stockpiles of persistent organic pollutants listed in Annexes A, B or C of the Convention, Parties must:

- (a) Develop and implement strategies to identify stockpiles of or containing, and products and articles in use and wastes consisting of, containing or contaminated with, a chemical listed in Annex A, B or C;
- (b) Manage stockpiles in a safe, efficient and environmentally sound manner until they are deemed to be wastes.

5. In the case of wastes from persistent organic pollutants in Annexes A, B or C, Parties must:

- (a) Develop strategies to identify products and articles in use containing waste;
  - (b) Take measures to handle, collect, transport and store wastes in an environmentally sound manner;
  - (c) Dispose of wastes so that persistent organic pollutant content is destroyed or irreversibly transformed so that they do not exhibit the characteristics of organic persistent pollutants otherwise disposed of in an environmentally sound manner;
  - (d) Not allow the wastes to be subjected to disposal operations that may lead to recovery, recycling, reclamation, direct reuse or alternative uses of persistent organic pollutants;
  - (e) Only transport wastes across international boundaries if taking into account relevant international rules, standards and guidelines;
  - (f) Develop strategies for identifying sites contaminated by persistent organic pollutants.
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