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22 October 2010

Subject: Proposal to amend Annex A to the Stockholm Convention to be discussed at the fifth meeting of the Conference of the Parties

The Persistent Organic Pollutants Review Committee of the Stockholm Convention, at its sixth meeting, held in Geneva from 11 to 15 October 2010, having evaluated the risk profile for endosulfan prepared in accordance with paragraph 6 of Article 8 of the Convention and Annex E to the Convention, completed the risk management evaluation for that chemical prepared in accordance with paragraph 7 (a) of Article 8 of the Convention and Annex F to the Convention. On that basis, the Committee decided, in accordance with paragraph 9 of Article 8 of the Convention, to recommend to the Conference of the Parties, for its consideration, the listing of technical endosulfan (CAS No: 115-29-7), its related isomers (CAS No: 959-98-8 and CAS No: 33213-65-9) and endosulfan sulfate (CAS No: 1031-07-8) in Annex A to the Convention, with specific exemptions.

Paragraph 9 of Article 8 of the Convention states 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 chemical in Annexes A, B and/or C, such listing will be done by amending the respective annex or annexes in accordance with Articles 21 and 22 of the Convention.

What Parties may do in preparation for the fifth meeting of the Conference of the Parties:

The proposal for listing this chemical in Annex A with specific exemptions will be considered by the Conference of the Parties at its fifth meeting, to be held in Geneva from 25 to 29 April 2011. Parties may therefore wish to be prepared to discuss this matter.

Parties may wish to recall that, in accordance with rule 19 of the rules of procedure of the Conference of the Parties, representatives of Parties wishing to take part in the decision-making process at the fifth meeting of the Conference of the Parties must be accredited with credentials issued by a Head of State or Government, by a minister for foreign affairs or, in the case of a regional economic integration organization, by the competent authority of that organization.

To: Stockholm Convention official contact points

Stockholm Convention national focal points

Cc: Representatives of permanent missions to the United Nations Office at Geneva

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The risk profile, risk management evaluation and other background information relevant to endosulfan, including the letters submitted with the proposal, can be accessed via the website of the Persistent Organic Pollutants Review Committee (<http://www.pops.int/poprc/>). Should you have difficulty gaining access to the site or downloading documents, hard copies can be provided on request. If you need additional information, please contact Ms. Kei Ohno of the Secretariat at the address below.

Parties are invited to notify the Secretariat by **1 December 2010** of any relevant issue or issues that they may wish to raise at the fifth meeting of the Conference of the Parties. The Secretariat will provide the Conference of the Parties with a compilation of the issues submitted. Submissions should be sent, preferably by e-mail (ssc@pops.int and kohno@pops.int), or else by ordinary mail, to:

Secretariat of the Stockholm Convention
Attention: POPs Review Committee
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Annex I to the present letter contains a summary of the Committee's conclusions regarding endosulfan and the text of the Committee's decision on the listing of endosulfan. **Annex II** contains a description of the implications for Parties of listing a chemical in Annexes A, B and/or C to the Convention.

Yours sincerely,



Donald Cooper
Executive Secretary
Secretariat of the Stockholm Convention on
Persistent Organic Pollutants

Annex I

Recommendation on endosulfan made by the Persistent Organic Pollutants Review Committee at its sixth meeting

The Committee completed its review of the available documents and 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 to the Convention. The Committee decided to recommend to the Conference of the Parties, in accordance with paragraph 9 of Article 8 of the Convention, that the Conference consider listing technical endosulfan (CAS No: 115-29-7), its related isomers (CAS No: 959-98-8 and CAS No: 33213-65-9) and endosulfan sulfate (CAS No: 1031-07-8) in Annex A to the Convention with specific exemptions.

A thorough review of control measures that have already been implemented in several countries shows that risks to health and the environment from exposure to endosulfan can be significantly reduced by eliminating the production and use of endosulfan. Global action on endosulfan will significantly reduce harm to human health and the environment.

Several countries that are currently phasing out uses of endosulfan have indicated a need to continue some applications of the chemical to allow for alternatives to be phased in. Furthermore, taking into account that replacing endosulfan with chemical and non-chemical alternatives may be difficult and/or costly for some specific crop pest complexes in some countries, it may be necessary to address those situations through specific exemptions under Annex A. Depending on the nature of the specific exemptions, releases of endosulfan and related adverse impacts could continue.

Decision POPRC-6/8: Endosulfan

The Persistent Organic Pollutants Review Committee,

Having concluded in decision POPRC-4/5 that endosulfan fulfils the criteria in Annex D to the Stockholm Convention on Persistent Organic Pollutants,

Having evaluated the risk profile for endosulfan adopted by the Committee at its fifth meeting,¹

Having decided in decision POPRC-5/5, in accordance with paragraph 7 (a) of Article 8 of the Convention and taking into account that a lack of full scientific certainty should not prevent a proposal from proceeding, endosulfan is likely, as a result of its long-range environmental transport, to lead to significant adverse human health and environmental effects such that global action is warranted,

Having completed the risk management evaluation for endosulfan in accordance with paragraph 7 (a) of Article 8 of the Convention,

1. *Adopts* the risk management evaluation for endosulfan;²
2. *Decides*, in accordance with paragraph 9 of Article 8 of the Convention, to recommend to the Conference of the Parties that it consider listing technical endosulfan (CAS No: 115-29-7), its related isomers (CAS No: 959-98-8 and CAS No: 33213-65-9) and endosulfan sulfate (CAS No: 1031-07-8) in Annex A to the Convention, with specific exemptions.

1 UNEP/POPS/POPRC.5/10/Add.2.

2 UNEP/POPS/POPRC.6/13/Add.1.

Annex II

Consequences for Parties of the listing of a chemical in Annexes A, B and/or C to the Stockholm Convention

A. Aim of listing a chemical in Annexes A, B and/or C

Annex A:

- Elimination of the 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:

- Restriction of production and use in accordance with the provisions of the annex

Annex C:

- Continuing minimization and, where feasible, ultimate elimination of the total releases of chemicals

B. Obligations for Parties upon entry into force of an amendment listing a chemical in Annexes A, B and/or C to the Convention

1. Upon entry into force of the amendment listing a chemical in Annexes A, B and/or C to the Convention, Parties must:

- (a) Implement control measures for the chemical listed, designing those control measures in accordance with the annex and the specific considerations for the chemical listed 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.

1. 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 in accordance with Article 4 of the Convention and notify the Secretariat of this need;
- (c) Take measures to comply with trade restrictions specified in the Convention.

2. Measures to reduce or eliminate releases from unintentional production (Article 5)

3. In the case of unintentionally produced persistent organic pollutants (Annex C chemicals), Parties must, at 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 and processes to prevent the formation and release of chemicals listed in Annex C;
- (d) Promote or require the use of best available techniques and best environmental practices for identified source categories.

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

4. In the case of stockpiles of a chemical listed in Annexes A, B and/or C to the Convention, Parties must:

- (a) Develop and implement strategies to identify stockpiles of, or substances containing, any chemical listed in Annexes A, B and/or C, as well as products and articles in use and wastes consisting of, containing or contaminated with any such chemical;
- (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 a chemical listed in Annexes A, B and/or C to the Convention, 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) Take measures to ensure that wastes are disposed of in such a way that persistent organic pollutant content is destroyed or irreversibly transformed, so that the wastes do not exhibit the characteristics of persistent organic pollutants or are otherwise disposed of in an environmentally sound manner;
 - (d) Not allow wastes to be subjected to disposal operations that may lead to recovery, recycling, reclamation, direct reuse or alternative uses of persistent organic pollutants;
 - (e) In transporting wastes across international boundaries, take into account relevant international rules, standards and guidelines;
 - (f) Develop strategies for identifying sites contaminated by persistent organic pollutants.
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