

## SC-1/2: Settlement of disputes

*The Conference of the Parties,*

*Adopts*, as Annex G to the Convention, the following arbitration procedure for purposes of paragraph 2 (a) of Article 18 of the Convention and conciliation procedure for purposes of paragraph 6 of Article 18 of the Convention.

## Annex G

### I. Arbitration procedure

The arbitration procedure for purposes of paragraph 2 (a) of Article 18 of the Convention shall be as follows:

#### Article 1

1. A Party may initiate recourse to arbitration in accordance with Article 18 of the Convention by written notification addressed to the other party to the dispute. The notification shall be accompanied by a statement of the claim, together with any supporting documents, and state the subject-matter of arbitration and include, in particular, the articles of the Convention the interpretation or application of which are at issue.

2. The claimant party shall notify the Secretariat that the parties are referring a dispute to arbitration pursuant to Article 18. The notification shall be accompanied by the written notification of the claimant party, the statement of claim and the supporting documents referred to in paragraph 1 above. The Secretariat shall forward the information thus received to all Parties.

#### Article 2

1. If a dispute is referred to arbitration in accordance with Article 1 above, an arbitral tribunal shall be established. It shall consist of three members.

2. Each of the parties to the dispute shall appoint an arbitrator and the two arbitrators so appointed shall designate by common agreement the third arbitrator, who shall be the President of the tribunal. The President of the tribunal shall not be a national of one of the parties to the dispute, nor have his or her usual place of residence in the territory of one of those parties, nor be employed by any of them, nor have dealt with the case in any other capacity.

3. In disputes between more than two parties, parties in the same interest shall appoint one arbitrator jointly by agreement.

4. Any vacancy shall be filled in the manner prescribed for the initial appointment.

5. If the parties do not agree on the subject-matter of the dispute before the President of the arbitral tribunal is designated, the arbitral tribunal shall determine the subject-matter.

#### Article 3

1. If one of the parties to the dispute does not appoint an arbitrator within two months of the date on which the respondent party receives the notification of the arbitration, the other party may inform the Secretary-General of the United Nations, who shall make the designation within a further two-month period.

2. If the President of the arbitral tribunal has not been designated within two months of the date of the appointment of the second arbitrator, the Secretary-General of the United Nations shall, at the request of a party, designate the President within a further two-month period.

#### **Article 4**

The arbitral tribunal shall render its decisions in accordance with the provisions of the Convention and international law.

#### **Article 5**

Unless the parties to the dispute otherwise agree, the arbitral tribunal shall determine its own rules of procedure.

#### **Article 6**

The arbitral tribunal may, at the request of one of the parties, indicate essential interim measures of protection.

#### **Article 7**

The parties to the dispute shall facilitate the work of the arbitral tribunal and, in particular, using all means at their disposal, shall:

- (a) Provide it with all relevant documents, information and facilities; and
- (b) Enable it, when necessary, to call witnesses or experts and receive their evidence.

#### **Article 8**

The parties and the arbitrators are under an obligation to protect the confidentiality of any information they receive in confidence during the proceedings of the arbitral tribunal.

#### **Article 9**

Unless the arbitral tribunal determines otherwise because of the particular circumstances of the case, the costs of the tribunal shall be borne by the parties to the dispute in equal shares. The tribunal shall keep a record of all its costs, and shall furnish a final statement thereof to the parties.

#### **Article 10**

A party that has an interest of a legal nature in the subject matter of the dispute which may be affected by the decision in the case may intervene in the proceedings with the consent of the tribunal.

#### **Article 11**

The tribunal may hear and determine counterclaims arising directly out of the subject matter of the dispute.

#### **Article 12**

Decisions both on procedure and substance of the arbitral tribunal shall be taken by a majority vote of its members.

**Article 13**

1. If one of the parties to the dispute does not appear before the arbitral tribunal or fails to defend its case, the other party may request the tribunal to continue the proceedings and to make its award. Absence of a party or a failure of a party to defend its case shall not constitute a bar to the proceedings.

2. Before rendering its final decision, the arbitral tribunal must satisfy itself that the claim is well founded in fact and law.

**Article 14**

The tribunal shall render its final decision within five months of the date on which it is fully constituted unless it finds it necessary to extend the time limit for a period which should not exceed five more months.

**Article 15**

The final decision of the arbitral tribunal shall be confined to the subject matter of the dispute and shall state the reasons on which it is based. It shall contain the names of the members who have participated and the date of the final decision. Any member of the tribunal may attach a separate or dissenting opinion to the final decision.

**Article 16**

The award shall be binding on the parties to the dispute. The interpretation of the Convention given by the award shall also be binding upon a Party intervening under Article 10 above insofar as it relates to matters in respect of which that Party intervened. The award shall be without appeal unless the parties to the dispute have agreed in advance to an appellate procedure.

**Article 17**

Any controversy which may arise between those bound by the final decision in accordance with Article 16 above, as regards the interpretation or manner of implementation of that decision, may be submitted by any of them for decision to the arbitral tribunal which rendered it.

## **II. Conciliation procedure**

The conciliation procedure for purposes of paragraph 6 of Article 18 of the Convention shall be as follows:

**Article 1**

1. A request by a party to a dispute to establish a conciliation commission in consequence of paragraph 6 of Article 18 shall be addressed in writing to the Secretariat. The Secretariat shall forthwith inform all Parties to the Convention accordingly.

2. The conciliation commission shall, unless the parties otherwise agree, be composed of three members, one appointed by each party concerned and a President chosen jointly by those members.

**Article 2**

In disputes between more than two parties, parties in the same interest shall appoint their members of the commission jointly by agreement.

**Article 3**

If any appointments by the parties are not made within two months of the date of receipt by the Secretariat of the written request referred to in Article 1, the Secretary-General of the United Nations shall, upon request by a party, make those appointments within a further two-month period.

**Article 4**

If the President of the conciliation commission has not been chosen within two months of the second member of the commission being appointed, the Secretary-General of the United Nations shall, upon request by a party, designate the President within a further two-month period.

**Article 5**

1. The conciliation commission shall, unless the parties to the dispute otherwise agree, determine its own rules of procedure.

2. The parties and members of the commission are under an obligation to protect the confidentiality of any information they receive in confidence during the proceedings of the commission.

**Article 6**

The conciliation commission shall take its decisions by a majority vote of its members.

**Article 7**

The conciliation commission shall render a report with recommendations for resolution of the dispute within twelve months of being established, which the parties shall consider in good faith.

**Article 8**

Any disagreement as to whether the conciliation commission has competence to consider a matter referred to it shall be decided by the commission.

**Article 9**

The costs of the commission shall be borne by the parties to the dispute in shares agreed by them. The commission shall keep the record of all its costs and shall furnish a final statement thereof to the parties.

**SC-4/10: Listing of alpha hexachlorocyclohexane***The Conference of the Parties,*

*Having considered* the risk profile and risk management evaluation for alpha hexachlorocyclohexane as transmitted by the Persistent Organic Pollutants Review Committee,<sup>1</sup>

*Taking note* of the recommendation by the Persistent Organic Pollutants Review Committee to list alpha hexachlorocyclohexane in Annex A of the Convention,<sup>2</sup>

*Decides* to amend part I of Annex A of the Convention to list alpha hexachlorocyclohexane therein by inserting the following row:

Chemical	Activity	Specific exemption
Alpha hexachlorocyclohexane* CAS No: 319-84-6	Production	None
	Use	None

**SC-4/11: Listing of beta hexachlorocyclohexane***The Conference of the Parties,*

*Having considered* the risk profile and risk management evaluation for beta hexachlorocyclohexane transmitted by the Persistent Organic Pollutants Review Committee,<sup>3</sup>

*Taking note* of the recommendation by the Persistent Organic Pollutants Review Committee to list beta hexachlorocyclohexane in Annex A of the Convention,<sup>4</sup>

*Decides* to amend part I of Annex A of the Convention to list beta hexachlorocyclohexane therein by inserting the following row:

Chemical	Activity	Specific exemption
Beta hexachlorocyclohexane* CAS No: 319-85-7	Production	None
	Use	None

**SC-4/12: Listing of chlordecone***The Conference of the Parties,*

*Having considered* the risk profile and risk management evaluation for chlordecone transmitted by the Persistent Organic Pollutants Review Committee,<sup>5</sup>

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<sup>1</sup> UNEP/POPS/POPRC.3/20/Add.8 and UNEP/POPS/POPRC.4/15/Add.3.

<sup>2</sup> UNEP/POPS/COP.4/17.

<sup>3</sup> UNEP/POPS/POPRC.3/20/Add.9 and UNEP/POPS/POPRC.4/15/Add.4.

<sup>4</sup> UNEP/POPS/COP.4/17.

<sup>5</sup> UNEP/POPS/POPRC.3/20/Add.10 and UNEP/POPS/POPRC.3/20/Add.2.

*Taking note* of the recommendation by the Persistent Organic Pollutants Review Committee to list chlordecone in Annex A of the Convention without specific exemptions,<sup>6</sup>

*Decides* to amend part I of Annex A of the Convention to list chlordecone therein without specific exemptions by inserting the following row:

Chemical	Activity	Specific exemption
Chlordecone* CAS No: 143-50-0	Production	None
	Use	None

### SC-4/13: Listing of hexabromobiphenyl

*The Conference of the Parties,*

*Having considered* the risk profile and risk management evaluation for hexabromobiphenyl transmitted by the Persistent Organic Pollutants Review Committee,<sup>7</sup>

*Taking note* of the recommendation by the Persistent Organic Pollutants Review Committee to list hexabromobiphenyl in Annex A of the Convention without specific exemptions,<sup>8</sup>

*Decides* to amend part I of Annex A of the Convention to list hexabromobiphenyl therein without specific exemptions by inserting the row below:

Chemical	Activity	Specific exemption
Hexabromobiphenyl* CAS No: 36355-01-8	Production	None
	Use	None

### SC-4/14: Listing of hexabromodiphenyl ether and heptabromodiphenyl ether

*The Conference of the Parties,*

*Having considered* the risk profile and risk management evaluation for commercial octabromodiphenyl ether transmitted by the Persistent Organic Pollutants Review Committee,<sup>9</sup>

*Taking note* of the recommendation by the Persistent Organic Pollutants Review Committee to list hexabromodiphenyl ether and heptabromodiphenyl ether in Annex A of the Convention,<sup>10</sup>

1. *Decides* to amend part I of Annex A of the Convention to list therein hexabromodiphenyl ether and heptabromodiphenyl ether, as defined in paragraph 2 of the present decision, with a specific exemption for articles containing

<sup>6</sup> UNEP/POPS/COP.4/17.

<sup>7</sup> UNEP/POPS/POPRC.2/17/Add.3 and UNEP/POPS/POPRC.3/20/Add.3.

<sup>8</sup> UNEP/POPS/COP.4/17.

<sup>9</sup> UNEP/POPS/POPRC.3/20/Add.6 and UNEP/POPS/POPRC.4/15/Add.1.

<sup>10</sup> UNEP/POPS/COP.4/17.

hexabromodiphenyl ether and heptabromodiphenyl ether in accordance with the provisions of part IV of the Annex, as follows:

Chemical	Activity	Specific exemption
Hexabromodiphenyl ether* and heptabromodiphenyl ether*	Production	None
	Use	Articles in accordance with provisions of part IV of this Annex

2. *Also decides* to insert a definition for hexabromodiphenyl ether and heptabromodiphenyl ether in a new part III of Annex A called "Definitions" as follows:

For the purpose of this Annex:

"Hexabromodiphenyl ether and heptabromodiphenyl ether" means 2,2',4,4',5,5'-hexabromodiphenyl ether (BDE-153, CAS No: 68631-49-2), 2,2',4,4',5,6'-hexabromodiphenyl ether (BDE-154, CAS No: 207122-15-4), 2,2',3,3',4,5',6-heptabromodiphenyl ether (BDE-175, CAS No: 446255-22-7), 2,2',3,4,4',5',6-heptabromodiphenyl ether (BDE-183, CAS No: 207122-16-5) and other hexa- and heptabromodiphenyl ethers present in commercial octabromodiphenyl ether.

3. *Decides* to insert a new part IV in Annex A as follows:

#### **Part IV**

##### **Hexabromodiphenyl ether and heptabromodiphenyl ether**

1. A Party may allow recycling of articles that contain or may contain hexabromodiphenyl ether and heptabromodiphenyl ether, and the use and final disposal of articles manufactured from recycled materials that contain or may contain hexabromodiphenyl ether and heptabromodiphenyl ether, provided that:

(a) The recycling and final disposal is carried out in an environmentally sound manner and does not lead to recovery of hexabromodiphenyl ether and heptabromodiphenyl ether for the purpose of their reuse;

(b) The Party takes steps to prevent exports of such articles that contain levels/concentrations of hexabromodiphenyl ether and heptabromodiphenyl ether exceeding those permitted for the sale, use, import or manufacture of those articles within the territory of the Party; and

(c) The Party has notified the Secretariat of its intention to make use of this exemption.

2. At its sixth ordinary meeting and at every second ordinary meeting thereafter the Conference of the Parties shall evaluate the progress that Parties have made towards achieving their ultimate objective of elimination of hexabromodiphenyl ether and heptabromodiphenyl ether contained in articles and review the continued need for this specific exemption. This specific exemption shall in any case expire at the latest in 2030.

4. *Decides* to amend part I of Annex A of the Convention by inserting in note (iv), after the words "polychlorinated biphenyls in articles in use in accordance with the provisions of Part II", a comma and the words "the use of hexabromodiphenyl ether and heptabromodiphenyl ether in accordance with the provisions of Part IV".

## SC-4/15: Listing of lindane

*The Conference of the Parties,*

*Having considered* the risk profile and risk management evaluation for lindane transmitted by the Persistent Organic Pollutants Review Committee,<sup>11</sup>

*Taking note* of the recommendation by the Persistent Organic Pollutants Review Committee to list lindane in Annex A of the Convention,<sup>12</sup>

1. *Decides* to amend part I of Annex A of the Convention to list lindane therein with a specific exemption for the use of lindane as a human health pharmaceutical for the control of head lice and scabies as second line treatment by inserting the following row:

Chemical	Activity	Specific exemption
Lindane* CAS No: 58-89-9	Production	None
	Use	Human health pharmaceutical for control of head lice and scabies as second line treatment

2. *Requests* the Secretariat to cooperate with the World Health Organization in developing reporting and reviewing requirements for the use of lindane as a human health pharmaceutical for the control of head lice and scabies, taking into consideration the concluding statement in the Persistent Organic Pollutants Review Committee's risk management evaluation on lindane, and to report on that cooperation to the Conference of the Parties at its fifth meeting.

## SC-4/16: Listing of pentachlorobenzene

*The Conference of the Parties,*

*Having considered* the risk profile, addendum to the risk profile and risk management evaluation for pentachlorobenzene transmitted by the Persistent Organic Pollutants Review Committee,<sup>13</sup>

<sup>11</sup> UNEP/POPS/POPRC.2/17/Add.4 and UNEP/POPS/POPRC.3/20/Add.4.

<sup>12</sup> UNEP/POPS/COP.4/17.

<sup>13</sup> UNEP/POPS/POPRC.3/20/Add.7, UNEP/POPS/POPRC.4/15/Add.5 and UNEP/POPS/POPRC.4/15/Add.2.



*Taking note* of the recommendation by the Persistent Organic Pollutants Review Committee to list pentachlorobenzene in Annex A of the Convention without specific exemptions and in Annex C of the Convention,<sup>14</sup>

1. *Decides* to amend part I of Annex A of the Convention to list pentachlorobenzene therein without specific exemptions by inserting the following row:

Chemical	Activity	Specific exemption
Pentachlorobenzene* CAS No: 608-93-5	Production	None
	Use	None

2. *Also decides* to amend part I of Annex C of the Convention to list pentachlorobenzene therein by inserting pentachlorobenzene (PeCB) (CAS No: 608-93-5) in the "Chemical" table after "Polychlorinated dibenzo-p-dioxin and dibenzofurans (PCDD/PCDF)" and by inserting "pentachlorobenzene" into the first paragraph of part II and part III of Annex C after "Polychlorinated dibenzo-p-dioxin and dibenzofurans".

## SC-4/17: Listing of perfluorooctane sulfonic acid, its salts and perfluorooctane sulfonyl fluoride

*The Conference of the Parties,*

*Having considered* the risk profile, risk management evaluation and addendum to the risk management evaluation for perfluorooctane sulfonate transmitted by the Persistent Organic Pollutants Review Committee,<sup>15</sup>

*Taking note* of the recommendation by the Persistent Organic Pollutants Review Committee to list perfluorooctane sulfonic acid, its salts and perfluorooctane sulfonyl fluoride in Annex A or Annex B of the Convention,<sup>16</sup>

1. *Decides* to amend part I of Annex B of the Convention to list perfluorooctane sulfonic acid, its salts and perfluorooctane sulfonyl fluoride therein by inserting the following row, with the acceptable purposes and specific exemptions specified in the row:

Chemical	Activity	Acceptable purpose or specific exemption
Perfluorooctane sulfonic acid (CAS No: 1763-23-1), its salts <sup>a</sup> and perfluorooctane sulfonyl fluoride (CAS No: 307-35-7)  <sup>a</sup> For example: potassium perfluorooctane sulfonate (CAS No: 2795-39-3); lithium perfluorooctane sulfonate (CAS No: 29457-72-5); ammonium perfluorooctane sulfonate (CAS No: 29081-56-9); diethanolammonium perfluorooctane sulfonate (CAS No: 70225-14-8);	Production	<b>Acceptable purpose:</b>  In accordance with part III of this Annex, production of other chemicals to be used solely for the uses below. Production for uses listed below.  <b>Specific exemption:</b>  As allowed for Parties listed in the Register.
	Use	<b>Acceptable purpose:</b>  In accordance with part III of this Annex for the following acceptable purposes, or as an intermediate in the production of chemicals with the following acceptable purposes:  • Photo-imaging

<sup>14</sup> UNEP/POPS/COP.4/17.

<sup>15</sup> UNEP/POPRC.2/17/Add.5, UNEP/POPRC.3/20/Add.5 and UNEP/POPRC.4/15/Add.6.

<sup>16</sup> UNEP/POPS/COP.4/17.

tetraethylammonium perfluorooctane sulfonate (CAS No: 56773-42-3); didecyldimethylammonium perfluorooctane sulfonate (CAS No: 251099-16-8)		<ul style="list-style-type: none"> <li>• Photo-resist and anti-reflective coatings for semi-conductors</li> <li>• Etching agent for compound semi-conductors and ceramic filters</li> <li>• Aviation hydraulic fluids</li> <li>• Metal plating (hard metal plating) only in closed-loop systems</li> <li>• Certain medical devices (such as ethylene tetrafluoroethylene copolymer (ETFE) layers and radio-opaque ETFE production, in-vitro diagnostic medical devices, and CCD colour filters)</li> <li>• Fire-fighting foam</li> <li>• Insect baits for control of leaf-cutting ants from <i>Atta spp.</i> and <i>Acromyrmex spp.</i></li> </ul> <p><b>Specific exemption:</b></p> <p>For the following specific uses, or as an intermediate in the production of chemicals with the following specific uses:</p> <ul style="list-style-type: none"> <li>• Photo masks in the semiconductor and liquid crystal display (LCD) industries</li> <li>• Metal plating (hard metal plating)</li> <li>• Metal plating (decorative plating)</li> <li>• Electric and electronic parts for some colour printers and colour copy machines</li> <li>• Insecticides for control of red imported fire ants and termites</li> <li>• Chemically driven oil production</li> <li>• Carpets</li> <li>• Leather and apparel</li> <li>• Textiles and upholstery</li> <li>• Paper and packaging</li> <li>• Coatings and coating additives</li> <li>• Rubber and plastics</li> </ul>
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2. *Also decides* to create a new part III in Annex B called “Perfluorooctane sulfonic acid (PFOS), its salts, and perfluorooctane sulfonyl fluoride (PFOSF)”, which reads:

### Part III

#### Perfluorooctane sulfonic acid, its salts and perfluorooctane sulfonyl fluoride

1. The production and use of perfluorooctane sulfonic acid (PFOS), its salts and perfluorooctane sulfonyl fluoride (PFOSF) shall be eliminated by all Parties except as provided in part I of this Annex for Parties that have notified the Secretariat of their intention to produce and/or use them for acceptable purposes. A Register of Acceptable Purposes is hereby established and shall be available to the public. The Secretariat shall maintain the Register of

Acceptable Purposes. In the event that a Party not listed in the Register determines that it requires the use of PFOS, its salts or PFOSF for the acceptable purposes listed in part I of this Annex it shall notify the Secretariat as soon as possible in order to have its name added forthwith to the Register.

2. Parties that produce and/or use these chemicals shall take into account, as appropriate, guidance such as that given in the relevant parts of the general guidance on best available techniques and best environmental practices given in part V of Annex C of the Convention.

3. Every four years, each Party that uses and/or produces these chemicals shall report on progress made to eliminate PFOS, its salts and PFOSF and submit information on such progress to the Conference of the Parties pursuant to and in the process of reporting under Article 15 of the Convention.

4. With the goal of reducing and ultimately eliminating the production and/or use of these chemicals, the Conference of the Parties shall encourage:

(a) Each Party using these chemicals to take action to phase out uses when suitable alternative substances or methods are available;

(b) Each Party using and/or producing these chemicals to develop and implement an action plan as part of the implementation plan specified in Article 7 of the Convention;

(c) The Parties, within their capabilities, to promote research on and development of safe alternative chemical and non-chemical products and processes, methods and strategies for Parties using these chemicals, relevant to the conditions of those Parties. Factors to be promoted when considering alternatives or combinations of alternatives shall include the human health risks and environmental implications of such alternatives.

5. The Conference of the Parties shall evaluate the continued need for these chemicals for the various acceptable purposes and specific exemptions on the basis of available scientific, technical, environmental and economic information, including:

(a) Information provided in the reports described in paragraph 3;

(b) Information on the production and use of these chemicals;

(c) Information on the availability, suitability and implementation of alternatives to these chemicals;

(d) Information on progress in building the capacity of countries to transfer safely to reliance on such alternatives.

6. The evaluation referred to in the preceding paragraph shall take place no later than in 2015 and every four years thereafter, in conjunction with a regular meeting of the Conference of the Parties.
7. Due to the complexity of the use and the many sectors of society involved in the use of these chemicals, there might be other uses of these chemicals of which countries are not presently aware. Parties which become aware of other uses are encouraged to inform the Secretariat as soon as possible.
8. A Party may, at any time, withdraw its name from the Register of acceptable purposes upon written notification to the Secretariat. The withdrawal shall take effect on the date specified in the notification.
9. The provisions of note (iii) of part I of Annex B shall not apply to these chemicals.

## SC-4/18: Listing of tetrabromodiphenyl ether and pentabromodiphenyl ether

*The Conference of the Parties,*

*Having considered* the risk profile and risk management evaluation for commercial pentabromodiphenyl ether transmitted by the Persistent Organic Pollutants Review Committee,<sup>17</sup>

*Taking note* of the recommendation by the Persistent Organic Pollutants Review Committee to list tetrabromodiphenyl ether and pentabromodiphenyl ether in Annex A of the Convention,<sup>18</sup>

1. *Decides* to amend part I of Annex A of the Convention to list therein tetrabromodiphenyl ether and pentabromodiphenyl ether, as defined in paragraph 2 of the present decision, with a specific exemption for articles containing tetrabromodiphenyl ether and pentabromodiphenyl ether in accordance with the provisions of part IV of the Annex, by inserting the following row:

Chemical	Activity	Specific exemption
Tetrabromodiphenyl ether* and pentabromodiphenyl ether*	Production	None
	Use	Articles in accordance with the provisions of Part IV of this Annex

2. *Also decides* to insert a definition for tetrabromodiphenyl ether and pentabromodiphenyl ether in a new part III of Annex A called "Definitions" as follows:

For the purpose of this Annex:

"Tetrabromodiphenyl ether and pentabromodiphenyl ether"  
means 2,2',4,4'-tetrabromodiphenyl ether (BDE-47, CAS No: 5436-43-1) and 2,2',4,4',5-pentabromodiphenyl ether (BDE-99, CAS No: 60348-60-9) and other tetra- and

<sup>17</sup> UNEP/POPS/POPRC.2/17/Add.1 and UNEP/POPS/POPRC.3/20/Add.1.

<sup>18</sup> UNEP/POPS/COP.4/17.

pentabromodiphenyl ethers present in commercial pentabromodiphenyl ether.

3. *Decides* to insert a new part IV to Annex A as follows:

#### **Part IV**

##### **Tetrabromodiphenyl ether and pentabromodiphenyl ether**

1. A Party may allow recycling of articles that contain or may contain tetrabromodiphenyl ether and pentabromodiphenyl ether, and the use and final disposal of articles manufactured from recycled materials that contain or may contain tetrabromodiphenyl ether and pentabromodiphenyl ether, provided that:

(a) The recycling and final disposal is carried out in an environmentally sound manner and does not lead to recovery of tetrabromodiphenyl ether and pentabromodiphenyl ether for the purpose of their reuse;

(b) The Party does not allow this exemption to lead to the export of articles containing levels/concentrations of tetrabromodiphenyl ether and pentabromodiphenyl ether that exceed those permitted to be sold within the territory of the Party; and

(c) The Party has notified the Secretariat of its intention to make use of this exemption.

2. At its sixth ordinary meeting and at every second ordinary meeting thereafter the Conference of the Parties shall evaluate the progress that Parties have made towards achieving their ultimate objective of elimination of tetrabromodiphenyl ether and pentabromodiphenyl ether contained in articles and review the continued need for this specific exemption. This specific exemption shall in any case expire at the latest in 2030.

4. *Decides* to amend part I of Annex A of the Convention by inserting in note (iv), after the words "polychlorinated biphenyls in articles in use in accordance with the provisions of Part II", a comma and the words "and the use of tetrabromodiphenyl ether and pentabromodiphenyl ether in accordance with the provisions of Part IV of this Annex".

## SC-5/3: Listing of technical endosulfan and its related isomers

*The Conference of the Parties,*

*Having considered* the risk profile and risk management evaluation for endosulfan (technical endosulfan, its related isomers and endosulfan sulfate) as transmitted by the Persistent Organic Pollutants Review Committee,<sup>1</sup>

*Taking note* of the recommendation by the Persistent Organic Pollutants Review Committee to list technical endosulfan, its related isomers and endosulfan sulfate in Annex A to the Convention, with specific exemptions,<sup>2</sup>

1. *Decides* to amend part I of Annex A to the Stockholm Convention on Persistent Organic Pollutants to list therein technical endosulfan and its related isomers, with specific exemptions for production as allowed for the parties listed in the Register of Specific Exemptions and/or for use on crop-pest complexes as listed in accordance with the provisions of a new part VI of the annex by inserting the following row:

Chemical	Activity	Specific exemption
Technical endosulfan* (CAS No: 115-29-7) and its related isomers* (CAS No: 959-98-8 and CAS No: 33213-65-9)	Production	As allowed for the parties listed in the Register
	Use	Crop-pest complexes as listed in accordance with the provisions of part VI of this Annex

2. *Decides* to insert a new note (v) in part I of Annex A as follows:  
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) were assessed and identified as persistent organic pollutants.

3. *Decides* to insert a new Part VI in Annex A as follows:

### Part VI

#### Technical endosulfan and its related isomers (endosulfan)

The production and use of endosulfan shall be eliminated except for parties that have notified the Secretariat of their intention to produce and/or use it in accordance with Article 4 of the Convention. Specific exemptions may be available for the use of endosulfan for the following crop-pest complexes:

Crop	Pest
Apple	Aphids
Arhar, gram	Aphids, caterpillars, pea semilooper, pod borer
Bean, cowpea	Aphids, leaf miner, whiteflies
Chilli, onion, potato	Aphids, jassids
Coffee	Berry borer, stem borers
Cotton	Aphids, cotton bollworm, jassids, leaf rollers, pink bollworm, thrips, whiteflies
Eggplant, okra	Aphids, diamondback moth, jassids, shoot and fruit borer
Groundnut	Aphids
Jute	Bihar hairy caterpillar, yellow mite
Maize	Aphids, pink borer, stem borers

<sup>1</sup> UNEP/POPS/POPRC.5/10/Add.2 and UNEP/POPS/POPRC.6/13/Add.1.

<sup>2</sup> UNEP/POPS/COP.5/17.

<b>Crop</b>	<b>Pest</b>
Mango	Fruit flies, hoppers
Mustard	Aphids, gall midges
Rice	Gall midges, rice hispa, stem borers, white jassid
Tea	Aphids, caterpillars, flushworm, mealybugs, scale insects, smaller green leafhopper, tea geometrid, tea mosquito bug, thrips
Tobacco	Aphids, oriental tobacco budworm
Tomato	Aphids, diamondback moth, jassids, leaf miner, shoot and fruit borer, whiteflies
Wheat	Aphids, pink borer, termites

## SC-6/13: Listing of hexabromocyclododecane

*The Conference of the Parties,*

*Having considered* the risk profile and the risk management evaluation and its addendum for hexabromocyclododecane as transmitted by the Persistent Organic Pollutants Review Committee,<sup>1</sup>

*Taking note* of the recommendation by the Persistent Organic Pollutants Review Committee to list hexabromocyclododecane in Annex A to the Convention with specific exemptions for production and use in expanded polystyrene and extruded polystyrene in buildings,<sup>2</sup>

1. *Decides* to amend part I of Annex A to the Stockholm Convention on Persistent Organic Pollutants to list therein hexabromocyclododecane, with specific exemptions for production as allowed for the parties listed in the register of specific exemptions and for use in expanded polystyrene and extruded polystyrene in buildings by inserting the following row:

Chemical	Activity	Specific exemption
Hexabromocyclododecane	Production	As allowed for the parties listed in the Register in accordance with the provisions of Part VII of this Annex
	Use	Expanded polystyrene and extruded polystyrene in buildings in accordance with the provisions of Part VII of this Annex

2. *Also decides* to insert a definition for hexabromocyclododecane in part III of Annex A as follows:

“(c) “Hexabromocyclododecane” means hexabromocyclododecane (CAS No: 25637-99-4), 1,2,5,6,9,10-hexabromocyclododecane (CAS No: 3194-55-6) and its main diastereoisomers: alpha-hexabromocyclododecane (CAS No: 134237-50-6); beta-hexabromocyclododecane (CAS No: 134237-51-7); and gamma-hexabromocyclododecane (CAS No: 134237-52-8).”

3. *Further decides* to insert a new part VII in Annex A as follows:

### Part VII

#### Hexabromocyclododecane

Each Party that has registered for the exemption pursuant to Article 4 for the production and use of hexabromocyclododecane for expanded polystyrene and extruded polystyrene in buildings shall take necessary measures to ensure that expanded polystyrene and extruded polystyrene containing hexabromocyclododecane can be easily identified by labelling or other means throughout its life cycle.

<sup>1</sup> UNEP/POPS/POPRC.6/13/Add.2, UNEP/POPS/POPRC.7/19/Add.1 and UNEP/POPS/POPRC.8/16/Add.3.

<sup>2</sup> Decision POPRC-8/3.



## SC-7/12: Listing of hexachlorobutadiene

*The Conference of the Parties,*

*Having considered* the risk profile and the risk management evaluation for hexachlorobutadiene as transmitted by the Persistent Organic Pollutants Review Committee,<sup>1</sup>

*Taking note* of the recommendation by the Persistent Organic Pollutants Review Committee to list hexachlorobutadiene in Annexes A and C to the Convention,<sup>2</sup>

*Decides* to amend part I of Annex A to the Stockholm Convention on Persistent Organic Pollutants to list hexachlorobutadiene therein without specific exemptions by inserting the following row:

Chemical	Activity	Specific exemption
Hexachlorobutadiene (CAS No: 87-68-3)	Production	None
	Use	None

## SC-7/13: Listing of pentachlorophenol and its salts and esters

*The Conference of the Parties,*

*Having considered* the risk profile and the risk management evaluation for pentachlorophenol and its salts and esters as transmitted by the Persistent Organic Pollutants Review Committee,<sup>3</sup>

*Taking note* of the recommendation by the Persistent Organic Pollutants Review Committee to list pentachlorophenol and its salts and esters in Annex A to the Convention with specific exemptions for the production and use of pentachlorophenol for utility poles and cross-arms,<sup>4</sup>

1. *Decides* to amend part I of Annex A to the Stockholm Convention on Persistent Organic Pollutants to list pentachlorophenol and its salts and esters therein with specific exemptions for production as allowed for the parties listed in the register of specific exemptions and for the use of pentachlorophenol for utility poles and cross-arms by inserting the following row:

Chemical	Activity	Specific exemption
Pentachlorophenol and its salts and esters	Production	As allowed for the parties listed in the Register in accordance with the provisions of part VIII of this Annex
	Use	Pentachlorophenol for utility poles and cross-arms in accordance with the provisions of part VIII of this Annex

2. *Also decides* to insert a new note (vi) in part I of Annex A, as follows:

(vi) Pentachlorophenol (CAS No: 87-86-5), sodium pentachlorophenate (CAS No: 131-52-2 and 27735-64-4 (as monohydrate)) and pentachlorophenyl laurate (CAS No: 3772-94-9), when considered together

<sup>1</sup> UNEP/POPS/POPRC.8/16/Add.2 and UNEP/POPS/POPRC.9/13/Add.2.

<sup>2</sup> UNEP/POPS/COP.7/19.

<sup>3</sup> UNEP/POPS/POPRC.9/13/Add.3 and UNEP/POPS/POPRC.10/10/Add.1.

<sup>4</sup> UNEP/POPS/COP.7/20.

with their transformation product pentachloroanisole (CAS No: 1825-21-4), were identified as persistent organic pollutants;

3. *Further decides* to insert a new part VIII in Annex A as follows:

### Part VIII

#### Pentachlorophenol and its salts and esters

Each Party that has registered for the exemption pursuant to Article 4 for the production and use of pentachlorophenol for utility poles and cross-arms shall take the necessary measures to ensure that utility poles and cross-arms containing pentachlorophenol can be easily identified by labelling or other means throughout their life cycles. Articles treated with pentachlorophenol should not be reused for purposes other than those exempted.

## SC-7/14: Listing of polychlorinated naphthalenes

*The Conference of the Parties,*

*Having considered* the risk profile and the risk management evaluation for chlorinated naphthalenes as transmitted by the Persistent Organic Pollutants Review Committee,<sup>5</sup>

*Taking note* of the recommendation by the Persistent Organic Pollutants Review Committee to list dichlorinated naphthalenes, trichlorinated naphthalenes, tetrachlorinated naphthalenes, pentachlorinated naphthalenes, hexachlorinated naphthalenes, heptachlorinated naphthalenes and octachlorinated naphthalene in Annexes A and C to the Convention,<sup>6</sup>

1. *Decides* to amend part I of Annex A to the Stockholm Convention on Persistent Organic Pollutants to list therein polychlorinated naphthalenes, including dichlorinated naphthalenes, trichlorinated naphthalenes, tetrachlorinated naphthalenes, pentachlorinated naphthalenes, hexachlorinated naphthalenes, heptachlorinated naphthalenes, octachlorinated naphthalene, with specific exemptions for production of those chemicals as intermediates in production of polyfluorinated naphthalenes, including octafluoronaphthalene, and the use of those chemicals for the production of polyfluorinated naphthalenes, including octafluoronaphthalene, by inserting the following row:

Chemical	Activity	Specific exemption
Polychlorinated naphthalenes, including dichlorinated naphthalenes, trichlorinated naphthalenes, tetrachlorinated naphthalenes, pentachlorinated naphthalenes, hexachlorinated naphthalenes, heptachlorinated naphthalenes, octachlorinated naphthalene	Production	Intermediates in production of polyfluorinated naphthalenes, including octafluoronaphthalene
	Use	Production of polyfluorinated naphthalenes, including octafluoronaphthalene

2. *Also decides* to amend part I of Annex C to the Convention to list therein polychlorinated naphthalenes, including dichlorinated naphthalenes, trichlorinated naphthalenes, tetrachlorinated naphthalenes, pentachlorinated naphthalenes, hexachlorinated naphthalenes, heptachlorinated naphthalenes, octachlorinated

<sup>5</sup> UNEP/POPS/POPRC.8/16/Add.1 and UNEP/POPS/POPRC.9/13/Add.1.

<sup>6</sup> UNEP/POPS/COP.7/18.

naphthalene, by inserting "Polychlorinated naphthalenes, including dichlorinated naphthalenes, trichlorinated naphthalenes, tetrachlorinated naphthalenes, pentachlorinated naphthalenes, hexachlorinated naphthalenes, heptachlorinated naphthalenes, octachlorinated naphthalene" in the "Chemical" table in a new line below "polychlorinated dibenzo-p-dioxins and dibenzofurans (PCDD/PCDF)" and by inserting "polychlorinated naphthalenes, including dichlorinated naphthalenes, trichlorinated naphthalenes, tetrachlorinated naphthalenes, pentachlorinated naphthalenes, hexachlorinated naphthalenes, heptachlorinated naphthalenes, octachlorinated naphthalene," after "polychlorinated dibenzo-p-dioxins and dibenzofurans" in the first paragraph of parts II and III of Annex C.

## SC-8/10: Listing of decabromodiphenyl ether

*The Conference of the Parties,*

*Having considered* the risk profile, the risk management evaluation and the addendum to the risk management evaluation for decabromodiphenyl ether (commercial mixture, c-decaBDE) as transmitted by the Persistent Organic Pollutants Review Committee,<sup>1</sup>

*Taking note* of the recommendation by the Persistent Organic Pollutants Review Committee that decabromodiphenyl ether (BDE-209) of c-decaBDE be listed in Annex A to the Convention with specific exemptions,<sup>2</sup>

1. *Decides* to amend part I of Annex A to the Stockholm Convention on Persistent Organic Pollutants to list decabromodiphenyl ether (BDE-209) present in commercial decabromodiphenyl ether therein, with specific exemptions for the production and use of commercial decabromodiphenyl ether, by inserting the following row:

Chemical	Activity	Specific exemption
Decabromodiphenyl ether (BDE-209) present in commercial decabromodiphenyl ether (CAS No: 1163-19-5)	Production	As allowed for the Parties listed in the Register
	Use	<p>In accordance with Part IX of this Annex:</p> <ul style="list-style-type: none"> <li>Parts for use in vehicles specified in paragraph 2 of Part IX of this Annex</li> <li>Aircraft for which type approval has been applied for before December 2018 and has been received before December 2022 and spare parts for those aircraft</li> <li>Textile products that require anti-flammable characteristics, excluding clothing and toys</li> <li>Additives in plastic housings and parts used for heating home appliances, irons, fans, immersion heaters that contain or are in direct contact with electrical parts or are required to comply with fire retardancy standards, at concentrations lower than 10 per cent by weight of the part</li> <li>Polyurethane foam for building insulation</li> </ul>

2. *Also decides* to insert a new part IX in Annex A, as follows:

### Part IX

#### Decabromodiphenyl ether

1. The production and use of decabromodiphenyl ether shall be eliminated except for Parties that have notified the Secretariat of their intention to produce and/or use it in accordance with Article 4.

2. Specific exemptions for parts for use in vehicles may be available for the production and use of commercial decabromodiphenyl ether limited to the following:

(a) Parts for use in legacy vehicles, defined as vehicles that have ceased mass production, and with such parts falling into one or more of the following categories:

(i) Powertrain and under-hood applications such as battery mass wires, battery interconnection wires, mobile air-conditioning (MAC) pipes, powertrains, exhaust manifold bushings, under-

<sup>1</sup> UNEP/POPS/POPRC.10/10/Add.2; UNEP/POPS/POPRC.11/10/Add.1; UNEP/POPS/POPRC.12/11/Add.4.

<sup>2</sup> UNEP/POPS/COP.8/13.

hood insulation, wiring and harness under hood (engine wiring, etc.), speed sensors, hoses, fan modules and knock sensors;

- (ii) Fuel system applications such as fuel hoses, fuel tanks and fuel tanks under body;
- (iii) Pyrotechnical devices and applications affected by pyrotechnical devices such as air bag ignition cables, seat covers/fabrics (only if airbag relevant) and airbags (front and side);
- (iv) Suspension and interior applications such as trim components, acoustic material and seat belts.

(b) Parts in vehicles specified in paragraphs 2 (a) (i)–(iv) above and those falling into one or more of the following categories:

- (i) Reinforced plastics (instrument panels and interior trim);
- (ii) Under the hood or dash (terminal/fuse blocks, higher-amperage wires and cable jacketing (spark plug wires));
- (iii) Electric and electronic equipment (battery cases and battery trays, engine control electrical connectors, components of radio disks, navigation satellite systems, global positioning systems and computer systems);
- (iv) Fabric such as rear decks, upholstery, headliners, automobile seats, head rests, sun visors, trim panels, carpets.

3. The specific exemptions for parts specified in paragraph 2 (a) above shall expire at the end of the service life of legacy vehicles or in 2036, whichever comes earlier.

4. The specific exemptions for parts specified in paragraph 2 (b) above shall expire at the end of the service life of vehicles or in 2036, whichever comes earlier.

5. The specific exemptions for spare parts for aircraft for which type approval has been applied for before December 2018 and has been received before December 2022 shall expire at the end of the service life of those aircraft.

## SC-8/11: Listing of short-chain chlorinated paraffins

*The Conference of the Parties,*

*Having considered* the risk profile and the risk management evaluation for short-chain chlorinated paraffins as transmitted by the Persistent Organic Pollutants Review Committee,<sup>1</sup>

*Taking note* of the recommendation by the Persistent Organic Pollutants Review Committee that short-chain chlorinated paraffins be listed in Annex A to the Convention with controls to limit the presence of short-chain chlorinated paraffins in other chlorinated paraffin mixtures, with or without specific exemptions,<sup>2</sup>

1. *Decides* to amend part I of Annex A to the Stockholm Convention on Persistent Organic Pollutants to list short-chain chlorinated paraffins therein, with specific exemptions, by inserting the following row:

Chemical	Activity	Specific exemption
Short-chain chlorinated paraffins (Alkanes, C <sub>10-13</sub> , chloro)*: straight-chain chlorinated hydrocarbons with chain lengths ranging from C <sub>10</sub> to C <sub>13</sub> and a content of chlorine greater than 48 per cent by weight	Production	As allowed for the Parties listed in the Register
	Use	<ul style="list-style-type: none"> <li>Additives in the production of transmission belts in the natural and synthetic rubber industry</li> <li>Spare parts of rubber conveyor belts in the mining and forestry industries</li> <li>Leather industry, in particular fatliquoring in leather</li> <li>Lubricant additives, in particular for engines of automobiles, electric generators and wind power facilities, and for drilling in oil and gas exploration and petroleum refining to produce diesel oil</li> <li>Tubes for outdoor decoration bulbs</li> <li>Waterproofing and fire-retardant paints</li> <li>Adhesives</li> <li>Metal processing</li> <li>Secondary plasticizers in flexible polyvinyl chloride, except in toys and children's products</li> </ul>
For example, the substances with the following CAS numbers may contain short-chain chlorinated paraffins: CAS No. 85535-84-8; CAS No. 68920-70-7; CAS No. 71011-12-6; CAS No. 85536-22-7; CAS No. 85681-73-8; CAS No. 108171-26-2.		

2. *Also decides* to insert a new note (vii) in part I of Annex A, as follows:

- (vii) Note (i) does not apply to quantities of a chemical that has a plus sign (“+”) following its name in the “Chemical” column in Part I of this Annex that occurs in mixtures at concentrations greater than or equal to 1 per cent by weight.

<sup>1</sup> UNEP/POPS/POPRC.11/10/Add.2 and UNEP/POPS/POPRC.12/11/Add.3.

<sup>2</sup> UNEP/POPS/COP.8/14.

## SC-8/12: Listing of hexachlorobutadiene

*The Conference of the Parties,*

*Having considered* the risk profile and the risk management evaluation for hexachlorobutadiene, as well as the evaluation of new information in relation to listing hexachlorobutadiene in Annex C to the Convention, as transmitted by the Persistent Organic Pollutants Review Committee,<sup>1</sup>

*Taking note* of the recommendation by the Persistent Organic Pollutants Review Committee that hexachlorobutadiene be listed in Annex C to the Convention and the conclusion of the evaluation of new information on unintentional production of hexachlorobutadiene,<sup>2</sup>

*Decides* to amend part I of Annex C to the Convention to list hexachlorobutadiene therein by inserting “Hexachlorobutadiene (CAS No: 87-68-3)” in the “Chemical” table of the Annex and by inserting “hexachlorobutadiene” in the first paragraph of parts II and III of the Annex.

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<sup>1</sup> UNEP/POPS/POPRC.8/16/Add.2; UNEP/POPS/POPRC.9/13/Add.2; UNEP/POPS/POPRC.12/11/Add.5.

<sup>2</sup> UNEP/POPS/COP.8/15.

## SC-9/4: Perfluorooctane sulfonic acid, its salts and perfluorooctane sulfonyl fluoride

*The Conference of the Parties,*

*Having* considered the report on the assessment of alternatives to perfluorooctane sulfonic acid, its salts and perfluorooctane sulfonyl fluoride submitted by the Persistent Organic Pollutants Review Committee<sup>1</sup> and the report on the evaluation of perfluorooctane sulfonic acid, its salts and perfluorooctane sulfonyl fluoride submitted by the Secretariat,<sup>2</sup>

*Taking note* of the recommendations of the Persistent Organic Pollutants Review Committee on the continued need for the various acceptable purposes and specific exemptions of perfluorooctane sulfonic acid, its salts and perfluorooctane sulfonyl fluoride,<sup>3</sup>

*Recalling* its decision SC-7/1, in which it noted, pursuant to paragraph 9 of Article 4 of the Stockholm Convention on Persistent Organic Pollutants, that as there were no longer any Parties registered for specific exemptions for the production and use of perfluorooctane sulfonic acid, its salts and perfluorooctane sulfonyl fluoride for carpets, leather and apparel, textiles and upholstery, paper and packaging, coatings and coating additives and rubber and plastics, no new registrations may be made with respect to them,

1. *Decides* to amend part I of Annex B to the Stockholm Convention on Persistent Organic Pollutants by replacing the current listing of perfluorooctane sulfonic acid (CAS No. 1763-23-1), its salts and perfluorooctane sulfonyl fluoride (CAS No. 307-35-7) with the new listing as follows:

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<sup>1</sup> UNEP/POPS/POPRC.14/INF/13.

<sup>2</sup> UNEP/POPS/COP.9/INF/12.

<sup>3</sup> Decision POPRC-14/3, annex.



<i>Chemical</i>	<i>Activity</i>	<i>Acceptable purpose or specific exemption</i>
Perfluorooctane sulfonic acid (CAS No. 1763-23-1), its salts <sup>a</sup> and perfluorooctane sulfonyl fluoride (CAS No. 307-35-7) <sup>a</sup> For example: potassium perfluorooctane sulfonate (CAS No. 2795-39-3); lithium perfluorooctane sulfonate (CAS No. 29457-72-5); ammonium perfluorooctane sulfonate (CAS No. 29081-56-9); diethanolammonium perfluorooctane sulfonate (CAS No. 70225-14-8); tetraethylammonium perfluorooctane sulfonate (CAS No. 56773-42-3); didecyldimethylammonium perfluorooctane sulfonate (CAS No. 251099-16-8)	Production	<b>Acceptable purpose:</b> In accordance with part III of this Annex, production of other chemicals to be used solely for the use below. Production for uses listed below. <b>Specific exemption:</b> None
	Use	<b>Acceptable purpose:</b> In accordance with part III of this Annex for the following acceptable purpose, or as an intermediate in the production of chemicals with the following acceptable purpose: <ul style="list-style-type: none"> <li>• Insect baits with sulfluramid (CAS No. 4151-50-2) as an active ingredient for control of leaf-cutting ants from <i>Atta</i> spp. and <i>Acromyrmex</i> spp. for agricultural use only</li> </ul> <b>Specific exemption:</b> <ul style="list-style-type: none"> <li>• Metal plating (hard-metal plating) only in closed-loop systems</li> <li>• Fire-fighting foam for liquid fuel vapour suppression and liquid fuel fires (Class B fires) in installed systems, including both mobile and fixed systems, in accordance with paragraph 10 of part III of this Annex</li> </ul>

2. *Also decides* to amend part III of Annex B to the Stockholm Convention on Persistent Organic Pollutants by inserting a new paragraph 10 as follows:

“10. Each Party that has registered for an exemption pursuant to Article 4 for the use of PFOS, its salts and PFOSF for fire-fighting foam shall:

(a) Notwithstanding paragraph 2 of Article 3, ensure that fire-fighting foam that contains or may contain PFOS, its salts and PFOSF shall not be exported or imported except for the purpose of environmentally sound disposal as set forth in paragraph 1 (d) of Article 6;

(b) Not use fire-fighting foam that contains or may contain PFOS, its salts and PFOSF for training;

(c) Not use fire-fighting foam that contains or may contain PFOS, its salts and PFOSF for testing unless all releases are contained;

(d) By the end of 2022, if it has the capacity to do so, restrict uses of fire-fighting foam that contains or may contain PFOS, its salts and PFOSF to sites where all releases can be contained;

(e) Make determined efforts designed to lead to the environmentally sound management of fire-fighting foam stockpiles and wastes that contain or may contain PFOS, its salts and PFOSF, in accordance with paragraph 1 of Article 6, as soon as possible.

## SC-9/11: Listing of dicofol

*The Conference of the Parties,*

*Having considered* the risk profile and the risk management evaluation for dicofol as transmitted by the Persistent Organic Pollutants Review Committee,<sup>1</sup>

*Taking note* of the recommendation by the Persistent Organic Pollutants Review Committee that dicofol be listed in Annex A to the Convention without specific exemptions,<sup>2</sup>

*Decides* to amend part I of Annex A to the Stockholm Convention on Persistent Organic Pollutants to list dicofol without specific exemptions by inserting the following row:

<i>Chemical</i>	<i>Activity</i>	<i>Specific exemption</i>
Dicofol	Production	None
CAS No. 115-32-2	Use	None
CAS No. 10606-46-9		

<sup>1</sup> UNEP/POPS/POPRC.12/11/Add.1; UNEP/POPS/POPRC.13/7/Add.1.

<sup>2</sup> UNEP/POPS/COP.9/13.

## SC-9/12: Listing of perfluorooctanoic acid (PFOA), its salts and PFOA-related compounds

*The Conference of the Parties,*

*Having considered* the risk profile, the risk management evaluation and the addendum to the risk management evaluation for perfluorooctanoic acid (PFOA), its salts and PFOA-related compounds as transmitted by the Persistent Organic Pollutants Review Committee,<sup>1</sup>

*Taking note* of the recommendation by the Persistent Organic Pollutants Review Committee that perfluorooctanoic acid (PFOA), its salts and PFOA-related compounds be listed in Annex A to the Stockholm Convention on Persistent Organic Pollutants with specific exemptions,<sup>2</sup>

1. *Decides* to amend part I of Annex A to the Stockholm Convention on Persistent Organic Pollutants to list therein perfluorooctanoic acid (PFOA), its salts and PFOA-related compounds, with specific exemptions for the production and use of perfluorooctanoic acid (PFOA), its salts and PFOA-related compounds, by inserting the following rows:

Chemical	Activity	Specific exemption
Perfluorooctanoic acid (PFOA), its salts and PFOA-related compounds	Production	<ul style="list-style-type: none"> <li>Fire-fighting foam: None</li> <li>For other production, as allowed for the Parties listed in the Register in accordance with the provisions of part X of this Annex</li> </ul>
<p>“Perfluorooctanoic acid (PFOA), its salts and PFOA-related compounds” means the following:</p> <p>(i) Perfluorooctanoic acid (PFOA; CAS No. 335-67-1), including any of its branched isomers;</p> <p>(ii) Its salts;</p> <p>(iii) PFOA-related compounds which, for the purposes of the Convention, are any substances that degrade to PFOA, including any substances (including salts and polymers) having a linear or branched perfluoroheptyl group with the moiety (C<sub>7</sub>F<sub>15</sub>)C as one of the structural elements;</p> <p>The following compounds are not included as PFOA-related compounds:</p> <p>(i) C<sub>8</sub>F<sub>17</sub>-X, where X= F, Cl, Br;</p> <p>(ii) Fluoropolymers that are covered by CF<sub>3</sub>[CF<sub>2</sub>]<sub>n</sub>-R', where R'=any group, n&gt;16;</p> <p>(iii) Perfluoroalkyl carboxylic and phosphonic acids (including their salts, esters, halides and anhydrides) with ≥8 perfluorinated carbons;</p> <p>(iv) Perfluoroalkane sulfonic acids (including their salts, esters, halides and anhydrides) with ≥9 perfluorinated carbons;</p> <p>(v) Perfluorooctane sulfonic acid (PFOS), its salts and perfluorooctane sulfonyl fluoride (PFOSF), as listed in Annex B to the Convention.</p>	Use	<p>In accordance with the provisions of part X of this Annex:</p> <ul style="list-style-type: none"> <li>Photolithography or etch processes in semiconductor manufacturing</li> <li>Photographic coatings applied to films</li> <li>Textiles for oil and water repellency for the protection of workers from dangerous liquids that comprise risks to their health and safety</li> <li>Invasive and implantable medical devices</li> <li>Fire-fighting foam for liquid fuel vapour suppression and liquid fuel fires (Class B fires) in installed systems, including both mobile and fixed systems, in accordance with paragraph 2 of part X of this Annex</li> <li>Use of perfluorooctyl iodide for the production of perfluorooctyl bromide for the purpose of producing pharmaceutical products, in accordance with the provisions of paragraph 3 of part X of this Annex</li> <li>Manufacture of polytetrafluoroethylene (PTFE) and polyvinylidene fluoride (PVDF) for the production of: <ul style="list-style-type: none"> <li>High-performance, corrosion-resistant gas filter membranes, water filter membranes and membranes for medical textiles</li> <li>Industrial waste heat exchanger equipment</li> </ul> </li> </ul>

<sup>1</sup> UNEP/POPS/POPRC.12/11/Add.2; UNEP/POPS/POPRC.13/7/Add.2; UNEP/POPS/POPRC.14/6/Add.2.

<sup>2</sup> UNEP/POPS/COP.9/14.

<i>Chemical</i>	<i>Activity</i>	<i>Specific exemption</i>
		<ul style="list-style-type: none"> <li>○ Industrial sealants capable of preventing leakage of volatile organic compounds and PM2.5 particulates</li> <li>• Manufacture of polyfluoroethylene propylene (FEP) for the production of high-voltage electrical wire and cables for power transmission</li> <li>• Manufacture of fluoroelastomers for the production of O-rings, v-belts and plastic accessories for car interiors</li> </ul>

2. *Also decides* to insert a new part X in Annex A to the Stockholm Convention on Persistent Organic Pollutants, as follows:

### **Part X**

#### **Perfluorooctanoic acid (PFOA), its salts and PFOA-related compounds**

1. The production and use of perfluorooctanoic acid (PFOA), its salts and PFOA-related compounds shall be eliminated except for Parties that have notified the Secretariat of their intention to produce and/or use them in accordance with Article 4 of the Convention.

2. Each Party that has registered for a specific exemption pursuant to Article 4 for the use of PFOA, its salts and PFOA-related compounds for fire-fighting foam shall:

(a) Notwithstanding paragraph 2 of Article 3, ensure that fire-fighting foam that contains or may contain PFOA, its salts and PFOA-related compounds shall not be exported or imported except for the purpose of environmentally sound disposal as set forth in paragraph 1 (d) of Article 6;

(b) Not use fire-fighting foam that contains or may contain PFOA, its salts and PFOA-related compounds for training;

(c) Not use fire-fighting foam that contains or may contain PFOA, its salts and PFOA-related compounds for testing unless all releases are contained;

(d) By the end of 2022, if it has the capacity to do so, but no later than 2025, restrict uses of fire-fighting foam that contains or may contain PFOA, its salts and PFOA-related compounds to sites where all releases can be contained;

(e) Make determined efforts designed to lead to the environmentally sound management of fire-fighting foam stockpiles and wastes that contain or may contain PFOA, its salts and PFOA-related compounds, in accordance with paragraph 1 of Article 6, as soon as possible;

3. With regard to the specific exemption for the use of perfluorooctyl iodide for the production of perfluorooctyl bromide for the purpose of producing pharmaceutical products, at its thirteenth ordinary meeting and at every second ordinary meeting thereafter, the Conference of the Parties shall review the continued need for this specific exemption. This specific exemption shall in any case expire at the latest in 2036.

## SC-10/13: Listing of perfluorohexane sulfonic acid (PFHxS), its salts and PFHxS-related compounds

*The Conference of the Parties,*

*Having considered* the risk profile and the risk management evaluation for perfluorohexane sulfonic acid (PFHxS), its salts and PFHxS-related compounds as transmitted by the Persistent Organic Pollutants Review Committee,<sup>1</sup>

*Taking note* of the recommendation by the Persistent Organic Pollutants Review Committee that PFHxS, its salts and PFHxS-related compounds be listed in Annex A to the Stockholm Convention on Persistent Organic Pollutants without specific exemptions,<sup>2</sup>

*Decides* to amend part I of Annex A to the Stockholm Convention on Persistent Organic Pollutants to list therein PFHxS, its salts and PFHxS-related compounds without specific exemptions by inserting the following row:

<i>Chemical</i>	<i>Activity</i>	<i>Specific exemption</i>
Perfluorohexane sulfonic acid (PFHxS), its salts and PFHxS-related compounds	Production Use	None None

“Perfluorohexane sulfonic acid (PFHxS), its salts and PFHxS-related compounds” means the following:

- (i) Perfluorohexane sulfonic acid (CAS No. 355-46-4, PFHxS), including branched isomers;
- (ii) Its salts;
- (iii) Any substance that contains the chemical moiety  $C_6F_{13}SO_2-$  as one of its structural elements and that potentially degrades to PFHxS.

<sup>1</sup> UNEP/POPS/POPRC.14/6/Add.1 and UNEP/POPS/POPRC.15/7/Add.1.

<sup>2</sup> UNEP/POPS/COP.10/12, annex.