

CONVENTIA DE LA STOCKHOLM PRIVIND POLUANTII ORGANICI PERSISTENTI

Partile la aceasta Conventie,

Recunoscand faptul ca poluantii organici persistenti au proprietati toxice, sunt rezistenti la degradare, se acumuleaza in organisme vii si se transporta pe calea aerului, apei si prin speciile migratoare dincolo de frontierele internationale si sunt depozitate departe de locul lor de emisie, unde se acumuleaza in ecosisteme terestre si acvatice,

Constiente de problemele de sanatate, in special in tarile in curs de dezvoltare, datorate expunerii la nivel local la poluantii organici persistenti, in special de impactul expunerii asupra femeilor, si, prin aceasta, asupra generatiilor viitoare,

Luand in considerare faptul ca ecosistemul arctic si in special populatia indigena sunt in mod deosebit amenintate de bioamplificarea poluantilor organici persistenti, iar contaminarea alimentelor lor traditionale constituie o problema de sanatate publica,

Constiente de necesitatea intreprinderii unei actiuni la nivel international pentru combaterea poluantilor organici persistenti,

Tinand cont de Decizia 19/13C din 7 februarie 1997 a Consiliului de Administratie a Programului Natiunilor Unite pentru Mediu de a initia actiuni la nivel international in vederea protejarii sanatatii umane si a mediului inconjurator prin adoptarea unor masuri care sa vizeze reducerea si/sau eliminarea emisiilor si evacuarilor de poluanti organici persistenti,

Amintind prevederile esentiale ale conventiilor internationale de mediu relevante, in special Conventia de la Rotterdam privind procedura de consimtamant prealabil in cunostinta de cauza, aplicabila anumitor produse chimici periculosi si pesticidelor care fac obiectul comertului international, si Conventia de la Basel privind controlul transportului peste frontiere al deseurilor periculoase si al eliminarii acestora, inclusiv acordurile regionale elaborate in baza articolului 11 al acesteia,

Reamintind de asemenea prevederile relevante din Declaratia de la Rio privind Mediul si Dezvoltarea, precum si Agenda 21,

Recunoscand ca aceasta Conventie si alte acorduri internationale in domeniul comertului si al mediului inconjurator sunt interdependente,



Reafirmand ca, potrivit Cartei Natiunilor Unite si principiilor de drept international, Statele au dreptul suveran de a-si exploata propriile resurse in conformitate cu politicile lor de mediu si dezvoltare, si au responsabilitatea de a asigura ca activitatile aflate sub jurisdicția sau controlul lor sa nu produca prejudicii mediului altor State sau teritoriilor aflate in afara limitelor jurisdicției nationale ,

Tinand cont de circumstantele si de necesitatile deosebite ale tarilor in curs de dezvoltare, mai ales ale celor mai slab dezvoltate si de necesitatile tarilor cu economie in tranzitie, in special de necesitatea de intarire a capacitatilor nationale de gestiune a produselor chimice, prin transfer de tehnologie, acordarea ajutorului financiar si tehnic si promovarea cooperarii intre Parti,

Tinand pe deplin cont de Programul de Actiune pentru Dezvoltare Durabila a statelor insulare mici in curs de dezvoltare, adoptat in Barbados, la 6 mai 1994,

Luand in considerare capacitatile respective ale tarilor dezvoltate si ale tarilor in curs de dezvoltare, precum si responsabilitatile comune dar diferite ale statelor, in conformitate cu Principiul 7 al Declaratiei de la Rio privind Mediul si Dezvoltarea,

Recunoscand contributia esentiala pe care sectorul privat si organizatiile ne-guvernamentale pot sa o aduca in realizarea proceselor de reducere si/sau de eliminare a emisiilor si evacuarilor de poluanti organici persistenti,

Subliniind importanta asumarii de catre cei care produc poluanti organici persistenti a responsabilitatii reducerii efectelor negative ale produselor lor si de informare a utilizatorilor, Guvernelor si publicului asupra proprietatilor periculoase ale acestor substante chimice,

Constiente de necesitatea de a lua masuri pentru prevenirea efectelor negative cauzate de poluantii organici persistenti in toate stadiile ciclului lor de viata,

Reafirmand Principiul 16 al Declaratiei de la Rio privind Mediul si Dezvoltarea care prevede necesitatea ca autoritatile nationale sa depuna eforturi pentru promovarea internalizarii costurilor de mediu si utilizarii instrumentelor economice, luand in considerare principiul conform caruia poluatorul ar trebui, in principiu sa suporte costul poluarii, tinand cont de interesul public si fara a afecta comerțul international si investitiile,

Incurajand Partile care nu dispun de planuri de reglementare si evaluare pentru pesticide si substante chimice industriale sa elaboreze asemenea planuri,

Recunoscand importanta dezvoltarii si utilizarii unor procese si substante chimice alternative, corespunzatoare din punct de vedere ecologic,



Hotarate sa protejeze sanatatea omului si a mediului impotriva efectelor nocive ale poluantilor organici persistenti

Au convenit urmatoarele:

Articolul 1
Obiectiv

Luand in considerare abordarea preventiva, in conformitate cu Principiului 15 al Declaratiei de la Rio privind Mediul si Dezvoltarea, obiectivul acestei Conventii este protejarea sanatatii umane si a mediului impotriva poluantilor organici persistenti.

Articolul 2
Definitii

In intelesul prezentei Conventii:

- a) "Parte" inseamna un Stat sau o organizatie de integrare economica regionala care si-a exprimat consimtamantul de a fi legata prin aceasta Conventie si pentru care Conventia este in vigoare.
- b) "Organizatia de integrare economica regionala" inseamna o organizatie constituita de catre Statele suverane dintr-o anumita regiune, careia Statele sale membre i-au transferat competente cu privire la aspectele reglementate prin aceasta Conventie si care a fost pe deplin autorizata, in conformitate cu procedurile sale interne, sa semneze, sa ratifice, sa accepte, sa aprobe sau sa adere la aceasta Conventie;
- c) "Partile prezente si cu drept de vot" inseamna Partile prezente care isi exercita dreptul de vot printr-un vot afirmativ sau negativ.

Articolul 3
Masuri pentru reducerea sau eliminarea evacuarilor rezultate din productia si
utilizarea intentionata

1. Fiecare Parte:

- (a) va interzice si/sau va lua masurile legale si administrative necesare pentru eliminarea:
 - (i) producerii si utilizarii substantelor chimice enumerate in Anexa A in conformitate cu prevederile incluse in aceasta anexa; si
 - (ii) importului si exportului substantelor chimice enumerate in Anexa A in conformitate cu prevederile incluse in alineatul 2;



- (b) va restrictiona producerea si utilizarea substantelor chimice enumerate in Anexa B in conformitate cu prevederile acelei Anexe.

2. Fiecare Parte va lua masurile necesare pentru a se asigura:

- (a) ca orice substanta chimica inclusa in Anexa A sau B este importata doar:

- (i) in scopul depozitarii adecvate din punct de vedere ecologic conform prevederilor alineatului 1. d) al articolului 6; sau
- (ii) pentru utilizarea sau scopul permise de acea Parte in baza Anexei A sau B;

- (b) ca este numai exportata, o substanta chimica prevazuta in Anexa A pentru care orice derogare specifica de productie sau utilizare este in vigoare sau o substanta prevazuta in Anexa B, pentru care orice derogare specifica de utilizare sau productie sau scop acceptabil este in vigoare, luand in considerare toate prevederile relevante din instrumentele internationale existente privind procedura de obtinere a consimtamantului prealabil in cunostinta de cauza ,

- (i) in scopul depozitarii adecvate din punct de vedere ecologic conform prevederilor alineatului 1. d) articolul 6;
- (ii) unei Parti careia i se permite sa foloseasca acea substanta chimica din Anexa A sau B; sau
- (iii) unui Stat care nu e Parte la aceasta Conventie si care a furnizat o certificare anuala Partii exportatoare. O asemenea certificare va specifica intentia utilizarii substantelor chimice si va include o declaratie prin care, in legatura cu acea substanta, statul importator este obligat:
 - a. sa protejeze sanatatea omului si a mediului inconjurator prin adoptarea masurilor necesare pentru minimalizarea sau eliminarea evacuarilor;
 - b. sa respecte prevederile alineatului 1, articolul 6; si
 - c. sa respecte, acolo unde este cazul, prevederile alineatului 2 din Partea II a Anexei B.

Certificarea va include de asemenea documentatia corespunzatoare de sprijinire a acesteia precum legi, instrumente de reglementare, dispozitii de ordin administrativ sau politic. Partea exportatoare va transmite certificatul Secretariatului in termen de 60 de zile de la data primirii.

- (c) ca o substanta chimica inclusa in Anexa A, ale carei derogari specifice de productie si utilizare nu se mai afla in vigoare pentru nici o Parte, sa nu fie exportata de acea Parte, decat in scopul depozitarii adecvate din punct de vedere ecologic, asa cum este prevazut in alineatul 1 lit.(d) al articolului 6;
- (d) pentru o mai buna intelegere a acestui alineat, termenul "Stat care nu e Parte la aceasta Conventie" inseamna, in acest context, cu referire la o anumita substanta chimica, un Stat sau organizatie de integrare economica regionala care nu au acceptat sa fie obligate sa respecte prevederile Conventiei cu privire la aceasta substanta chimica.



3. Fiecare Parte care are una sau mai multe scheme de reglementare si de evaluare pentru pesticidele noi si pentru substantele industriale noi va lua masuri pentru a elabora reglementari in scopul prevenirii productiei si utilizarii noilor pesticide si noilor substante chimice industriale care, luand in considerare criteriile din alineatul 1 din Anexa D, prezinta caracteristicile poluantilor organici persistenti.

4 Fiecare Parte care aplica una sau mai multe scheme de reglementare si de evaluare pentru pesticide si substante industriale va lua in considerare, acolo unde este cazul in cadrul acestor scheme, criteriile enuntate in alineatul 1, Anexa D atunci cand va efectua evaluari ale pesticidelor sau substantelor chimice industriale care sunt folosite in prezent.

5. In afara cazului in care este prevazut altceva in Conventie, alineatele 1 si 2 nu se vor aplica pentru cantitatile de substante chimice care urmeaza sa fie folosite in cercetarile de laborator sau ca standard de referinta.

6. Oricare Parte care are o derogare specifica in conformitate cu Anexa A sau o derogare specifica sau un scop acceptabil in conformitate cu Anexa B, va lua masurile potrivite pentru a se asigura ca orice productie sau utilizare aflata sub incidenta acestei derogari sau scop se efectueaza intr-un mod care previne sau minimizeaza expunerea umana si descarcările in mediul inconjurator. Pentru utilizari supuse derogarilor sau scopurilor acceptabile care implica evacuări intentionate in mediul inconjurator in conditiile de utilizare normala, aceste evacuări vor fi intr-o cantitate cat mai redusa, luand in considerare standardele si dispozitiile aplicabile.

Articolul 4 Inregistrarea derogarilor specifice

1. Se va intocmi un registru in scopul identificării Partilor care sunt supuse derogarilor specifice prevăzute in Anexa A sau Anexa B. Acesta nu va identifica Partile care utilizeaza prevederile din Anexa A sau Anexa B care ar putea fi exercitate de toate Partile. Registrul va fi actualizat de catre Secretariat si va fi pus la dispozitia publicului.
2. Registrul va include:
 - (a) o lista cu tipurile de derogari specifice prevazute in Anexa A si Anexa B;
 - (b) o lista cu Partile care sunt supuse unei derogari specifice mentionate in Anexa A sau Anexa B; si
 - (c) o lista cu datele la care expira fiecare derogare specifica inregistrata.
3. Orice Stat, care devine Parte, poate sa inregistreze printr-o notificare in scris adresata Secretariatului, unul sau mai multe tipuri de derogari specifice enumerate in Anexa A sau Anexa B.



4. Daca nu este indicata o data anterioara in Registru de catre una din Parti, sau daca nu se acorda o amanare conform alineatului 7, toate inregistrarile derogarilor specifice vor expira dupa un interval de 5 ani de la data intrarii in vigoare a prezentei Conventii in ceea ce priveste o substanta chimica data.
5. La prima reuniune, Conferinta Partilor va decide asupra procesului de revizuire a articolelor din Registru.
6. Inainte de a revizui un articol din Registru, Partea implicata va prezenta un raport Secretariatului in care sa justifice necesitatea de a se inregistra in continuare pentru o anumita derogare. Raportul va fi transmis, de catre Secretariat, tuturor Partilor. Examinarea inregistrarii va fi efectuata pe baza tuturor informatiilor disponibile. Prin urmare, Conferinta Partilor poate face recomandari Partii interesate dupa cum considera potrivit.
7. Conferinta Partilor poate, la cererea Partii interesate, sa decida asupra extinderii datei de expirare a unei derogari specifice pana la cinci ani. In luarea deciziei, Conferinta Partilor va lua in considerare interesele specifice ale statelor Parti in curs de dezvoltare si ale statelor Parti cu economie in tranzitie.
8. O Parte poate, in orice moment, sa retraga o inscriere din Registru cu privire la o derogare specifica, printr-o notificare scrisa adresata Secretariatului. Retragerea va produce efecte la data prevazuta in notificare.
9. Cand nu mai exista nici o Parte inregistrata pentru un anumit tip de derogare specifica, nu se va mai putea face nici o inregistrare noua referitoare la aceasta derogare.

Articolul 5

Masuri de reducere si eliminare a evacuarilor accidentale

Fiecare Parte va lua cel putin urmatoarele masuri pentru reducerea evacuarilor complete derivate din sursele antropice ale fiecăreia din substantele mentionate in Anexa C, in scopul reducerii continue si, acolo unde este posibil, in scopul eliminarii totale:

- (a) Elaborarea unui plan de actiune, sau, acolo unde este cazul, a unui plan de actiune regional sau subregional intr-un interval de doi ani de la intrarea in vigoare a acestei Conventii pentru Partea respectiva, si implementarea ulterioara a acestora in cadrul planului de actiune prevazut in articolul 7 in vederea identificarii, caracterizarii si gestionarii evacuarilor de substante chimice prezentate in Anexa C si in vederea facilitarii implementarii prevederilor lit.(b) - (e). Planul de actiune va cuprinde urmatoarele elemente:



- i) evaluarea evacuarilor actuale si planificate, in special elaborarea si reactualizarea inventarelor surselor si estimarilor evacuarilor, tinand cont de categoriile de surse identificate in Anexa C;
- ii) evaluarea eficientei legilor si politicilor Partii ce vizeaza gestiunea evacuarilor;
- iii) strategiile pentru respectarea obligatiilor prezentate in acest alineat, luand in considerare evaluarile incluse la punctele (i) si (ii);
- iv) etapele pentru promovarea educarii, instruirii si constientizarii publicului cu privire la aceste strategii;
- v) examinarea o data la cinci ani a acestor strategii si a succesului lor in sensul respectarii obligatiilor prevazute in acest alineat; asemenea examinari vor fi incluse in rapoartele prezentate in conformitate cu articolul 15;
- vi) programul de implementare a planului de actiune, inclusiv strategiile si masurile enuntate mai sus:
- (b) promovarea aplicarii masurilor disponibile si practice prin care se poate atinge in mod rapid un nivel realist si semnificativ de reducere a evacuarilor sau de eliminare a surselor;
- (c) promovarea dezvoltarii si, acolo unde e cazul, a impunerii utilizarii materialelor, substituite sau modificate, a produselor si proceselor necesare pentru prevenirea formarii substantelor enumerate in Anexa C si evacuarii acestora, luand in considerare dispozitiile generale asupra masurilor de prevenire enuntate in Anexa C si dispozitiile care urmeaza a fi adoptate printr-o hotarare a Conferintei Partilor.
- (d) Promovarea si, in conformitate cu programul de implementare a planului de actiune, impunerea utilizarii celor mai bune tehnici disponibile pentru noi surse in cadrul categoriilor de surse identificate de catre o Parte ca o garantare a unor asemenea actiuni in planul de actiune, punand mai intai accentul pe categoriile de surse identificate in Partea II a Anexei C. In orice caz, solicitarea utilizarii celor mai bune tehnici disponibile pentru noi surse in categoriile enumerate in Partea II a acestei Anexa va fi realizata progresiv cat mai curand posibil, dar nu mai tarziu de patru ani de la intrarea in vigoare a Conventiei pentru acea Parte. Pentru categoriile identificate, Partile vor promova utilizarea celor mai bune practici de mediu. Pentru aplicarea celor mai bune tehnici disponibile si a celor mai bune practici de mediu, Partile ar trebui sa tina cont de dispozitiile generale asupra masurilor de prevenire si reducere a evacuarilor incluse in Anexa C si de dispozitiile generale asupra celor mai bune tehnici disponibile si a celor mai bune practici de mediu care urmeaza sa fie adoptate printr-o hotarare a Conferintei Partilor;



(e) promovarea, in conformitate cu planul propriu de actiune, a utilizarii celor mai bune tehnici disponibile si a celor mai bune practici de mediu:

- (i) pentru sursele existente, in cadrul categoriilor de surse enumerate in Partea II a Anexei C si in cadrul categoriilor de surse cum ar fi cele enumerate in Partea III a aceleiasi anexe; si
- (ii) pentru sursele noi, in cadrul categoriilor de surse enumerate in Partea III a Anexei C pe care o anumita Parte nu le-a abordat la litera (d).

Pentru aplicarea celor mai bune tehnici disponibile si a celor mai bune practici de mediu, Partile ar trebui sa ia in considerare dispozitia generala asupra masurilor de prevenire si de reducere a evacuarilor din Anexa C precum si dispozitiile asupra celor mai bune tehnici disponibile si a celor mai bune practici de mediu care urmeaza a fi adoptate printr-o hotarare a Conferintei Partilor.

(f) Pentru o mai buna intelegere a acestui alineat si a Anexei C:

- (i) "Cele mai bune tehnici disponibile" inseamna stadiul cel mai eficient si avansat de dezvoltare a activitatilor si metodelor de exploatare care indica faptul ca anumite tehnici sunt corespunzatoare din punct de vedere practic pentru furnizarea bazei pentru limitarea emisiilor, destinate sa previna, si, acolo unde este posibil, sa reduca evacuarile de substante chimice enumerate in Partea I a Anexei C si impactul lor asupra mediului inconjurator in ansamblu. In aceasta privinta:
- (ii) "Tehnici " inseamna atat tehnologia utilizata, cat si modul in care instalatia este proiectata, construita, intretinuta, utilizata si scoasa din functiune;
- (iii) "Tehnici disponibile" inseamna acele tehnici accesibile utilizatorului, dezvoltate pe o scara care permite implementarea intr-un anumit sector industrial, in conditii viabile din punct de vedere tehnic si economic, tinand cont de costuri si avantaje; si
- (iv) "Cele mai bune tehnici disponibile " inseamna tehnicile cele mai eficiente pentru atingerea unui nivel general inalt de protectie a mediului in ansamblu;
- (v) "Cele mai bune practici de mediu" inseamna aplicarea celei mai potrivite combinatii de masuri si strategii de control al mediului inconjurator;
- (vi) "Sursa noua" inseamna orice sursa a carei constructie sau modificare substantiala a inceput sa fie facuta la cel putin un an de la data:
 - a. intrarii in vigoare a acestei Conventii pentru Partea implicata si
 - b. intrarii in vigoare a unui amendament la Anexa C pentru Partea implicata atunci cand sursa este supusa prevederilor acestei Conventii doar in baza respectivului amendament.

(g) valorile limita de evacuare sau standardele de performanta ar putea fi folosite de catre o Parte pentru indeplinirea angajamentelor luate in legatura cu cele mai bune tehnici disponibile in conformitate cu acest alineat.



Articolul 6

Masuri de reducere sau eliminare a evacuarilor provenite de la depozite si deseuri

1. In scopul de a se asigura ca depozitele constituite sau care contin substante chimice enumerate in anexele A sau B, si ca deseurile, inclusiv produsele si articolele aflate pe punctul de a deveni deseuri ce contin o substanta chimica enumerata in Anexele A, B sau C sau contaminate cu aceasta, sunt gestionate in asa fel incat sa protejeze sanatatea umana si mediul, fiecare Parte va trebui:
 - (a) sa elaboreze strategii adecvate pentru identificarea:
 - (i) depozitelor care contin substante chimice enumerate in Anexa A sau in Anexa B; si
 - (ii) produselor si articolelor aflate in uz si a deseurilor care contin sau sunt contaminate cu o substanta chimica enumerata in Anexa A, B sau C;
 - (b) sa identifice, in masura in care este posibil, depozitele sunt alcatuite sau contin substantele chimice enumerate fie in Anexa A, fie in Anexa B, pe baza strategiilor mentionate la litera (a);
 - (c) sa gestioneze depozitele, intr-un mod adecvat, sigur, eficient si rational din punct de vedere ecologic. Depozitele de substante chimice enumerate in Anexa A sau in Anexa B a caror utilizare e interzisa in conformitate cu orice derogare expresa inclusa in Anexa A si cu orice derogare specifica sau intr-un scop acceptabil prezentate in Anexa B, cu exceptia stocurilor al caror export este permis in conformitate cu alineatul 2 al Articolului 3, vor fi considerate deseuri si vor fi gestionate in conformitate cu litera (d);
 - (d) sa ia masuri in asa fel incat deseurile, inclusiv produsele si articolele care sunt pe punctul de a deveni deseuri sa fie:
 - i) manipulate, colectate, transportate si depozitate potrivit metodelor rationale din punct de vedere ecologic;
 - ii) eliminate astfel incat intregul continut de poluanti organici persistenti sa fie distrus sau transformat in mod ireversibil astfel incat sa nu prezinte caracteristicile poluantilor organici persistenti sau, daca nu, sa fie eliminate in mod rational din punct de vedere ecologic atunci cand distrugerea sau transformarea ireversibila nu reprezinta o optiune preferabila din punct de vedere ecologic sau atunci cand continutul in poluanti organici persistenti este scazut, tinand cont de regulile, standardele si dispozitiile internationale, inclusiv de cele care ar putea fi elaborate in conformitate cu alineatul 2, si de conditiile globale si regionale de gestionare a deseurilor periculoase;
 - iii) interzise de la operatiile de evacuare in cazul in care s-ar putea realiza recuperarea, reciclarea, imbunatatirea, reutilizarea directa sau utilizarea alternativa a poluantilor organici persistenti; si
 - iv) interzise de la transportul international daca nu se tine cont de regulile, standardele si dispozitiile internationale de transport.



- (e) sa se straduiasca sa elaboreze strategii potrivite pentru identificarea locurilor contaminate cu substantele chimice enumerate in Anexele A, B sau C; daca se intreprinde decontaminarea acestor locuri, aceasta va fi efectuata intr-un mod rational din punct de vedere ecologic.
2. Conferinta Partilor va coopera indeaproape cu organismele corespunzatoare ale Conventiei de la Basel privind transportul peste frontiera al deseurilor periculoase si al eliminarii acestora, pentru ca, intre altele:
- (a) sa stabileasca nivelurile de distrugere si de transformare ireversibila necesare pentru a asigura ca nu mai exista nici o caracteristica a poluantilor organici persistenti specificati in alineatul 1, Anexa D;
- (b) sa determine metodele pe care le considera corespunzatoare pentru eliminarea rationala din punct de vedere ecologic, mentionata mai sus; si
- (c) sa lucreze la stabilirea, acolo unde este cazul, a nivelurilor de concentratie ale substantelor chimice enumerate in Anexele A, B si C pentru definirea continutului scazut de poluanti organici persistenti mentionat la punctul ii), litera d), alineatul 1.

Articolul 7 Planuri de implementare

1. Fiecare Parte:

- a) Va elabora si se va stradui sa implementeze un plan pentru punerea in aplicare a obligatiilor stabilite prin prezenta Conventie.
- b) Va transmite planul sau de implementare Conferintei Partilor intr-un interval de doi ani de la data intrarii in vigoare a prezentei Conventii pentru Partea respectiva; si
- c) Va revizui si actualiza acest plan la intervale regulate si potrivit unor modalitati specificate intr-o hotarare a Conferintei Partilor.

2. Partile vor coopera in mod direct sau, daca e cazul, prin intermediul organizatiilor internationale, regionale, si subregionale si vor consulta grupurile nationale de interes, inclusiv asociatiile de femei si organizatiile care lucreaza in domeniul sanatatii infantile, in vederea facilitarii elaborarii, implementarii si actualizarii planurilor lor de implementare.

3. Partile se vor stradui sa utilizeze si, acolo unde este necesar, sa stabileasca mijloacele pentru integrarea planurilor nationale de implementare pentru poluantii organici persistenti in cadrul strategiilor lor de dezvoltare durabila, acolo unde este cazul.



Articolul 8
Includerea substantelor chimice in anexele A, B si C

1. O Parte poate prezenta Secretariatului o propunere de includere a unei anumite substante in Anexele A, B, si/sau C. Aceasta propunerea va contine informatiile cerute in anexa D. Pentru prezentarea unei propuneri, o Parte poate fi ajutata de alte Parti si/sau de Secretariat.
2. Secretariatul va verifica daca propunerea cuprinde si informatiile cerute in Anexa D. Daca Secretariatul este satisfacut ca propunerea cuprinde informatiile cerute, va transmite aceasta propunere Comitetului de Examinare a Poluantilor Organici Persistenti.
3. Comitetul va examina propunerea si va aplica criteriile de selectie specificate in Anexa D, luand in considerare intr-un mod integrat si echilibrat toate informatiile furnizate.
4. Daca Comitetul hotareste ca:
 - (a) este satisfacut de faptul ca au fost indeplinite criteriile de selectie, va comunica propunerea si evaluarea, prin intermediul Secretariatului, tuturor partilor si observatorilor si ii va invita sa prezinte informatiile specificate in Anexa E; sau
 - (b) nu este satisfacut de faptul ca au fost indeplinite criteriile de selectie, va comunica propunerea si evaluarea, prin intermediul Secretariatului, tuturor Partilor, iar propunerea va fi respinsa.
5. Orice Parte poate sa retransmita Comitetului o propunere care a fost respinsa de catre Comitet, in conformitate cu alineatul 4. Aceasta noua prezentare a propunerii ar putea sa includa problemele Partii precum si motivele de reexaminare de catre Comitet. Daca, in urma acestei proceduri, Comitetul respinge din nou propunerea, Partea poate sa conteste decizia Comitetului iar Conferinta Partilor poate sa analizeze problema la urmatoarea sesiune. Conferinta Partilor poate sa decida daca, pe baza criteriilor de selectie incluse in Anexa D si luand in considerare evaluarea efectuata de catre Comitet si informatiile suplimentare furnizate de catre orice Parte sau observator, propunerea este admisa.
6. Atunci cand Comitetul a hotarat ca au fost indeplinite criteriile de selectie, sau cand Conferinta Partilor a hotarat ca propunerea este admisa, Comitetul va examina din nou propunerea, tinand cont de informatiile suplimentare pertinente primite, si va pregati un proiect cu profilul de risc, in conformitate cu Anexa E. Va comunica acest proiect, prin intermediul Secretariatului, tuturor Partilor si observatorilor si va primi observatiile lor de ordin tehnic si, pe baza acestor observatii, va completa profilul de risc.
7. Daca, pe baza profilului de risc realizat in conformitate cu Anexa E, Comitetul hotaraste ca:
 - (a) substanta chimica, ca rezultat al transportului in mediu , pe lunga distanta, poate avea efecte negative semnificative asupra sanatatii omului si/sau mediului si impune adoptarea unor actiuni globale , propunerea este



admisa. Lipsa argumentelor stiintifice nu va impiedica admiterea propunerii. Prin intermediul Secretariatului, Comitetul va invita Partile si observatorii sa ofere informatii referitoare la prevederile specifice din Anexa F. Apoi va pregati o evaluare a gestiunii riscurilor, care sa includa o analiza a masurilor posibile de control pentru substanta chimica, in conformitate cu Anexa respectiva; sau

- (b) in cazul in care propunerea nu va fi considerata admisa, prin intermediul Secretariatului, sa se puna la dispozitie profilul de risc tuturor Partilor si observatorilor si sa se respinga propunerea .

8. Pentru orice propunere respinsa, in conformitate cu alineatul 7 (b), o Parte ar putea cere Conferintei Partilor sa examineze posibilitatea de a atribui Comitetului sarcina de a solicita informatii suplimentare Partii care a prezentat propunerea si altor Parti de-a lungul unei perioade de cel mult un an. Dupa aceasta perioada, pe baza informatiilor primite, Comitetul va analiza din nou propunerea, in conformitate cu alineatul 6, in ordinea de prioritate ce urmeaza a fi hotarata de catre Conferinta Partilor. Daca, in urma acestei proceduri, Comitetul va respinge din nou propunerea , Partea poate contesta hotararea Comitetului, iar Conferinta Partilor va analiza problema la urmatoarea sesiune. Conferinta Partilor va decide, pe baza profilului de risc pregatit in conformitate cu Anexa E si luand in considerare evaluarea realizata de catre Comitet si orice informatie suplimentara furnizata de fiecare Parte sau observator, ca propunerea ar trebui admisa. In cazul in care Conferinta Partilor hotaraste admiterea propunerii, Comitetul va pregati evaluarea gestionarii riscului.

9. Pe baza profilului de risc mentionat in alineatul 6 si a evaluarii gestionarii riscului, mentionat in aliniatul 7 (a) sau aliniatul 8, Comitetul va recomanda daca substanta chimica trebuie inscrisa de Conferinta Partilor in anexele A, B si/sau C. Conferinta Partilor, luand in considerare recomandarile Comitetului, inclusiv acele aspecte care arata incertitudinea de ordin stiintific, va hotari, in mod preventiv, includerea substantei chimice si specificarea masurilor de control care se impun, in Anexele A, B. si/sau C.

Articolul 9 Schimbul de informatii

1. Fiecare Parte va facilita, sau va efectua schimbul de informatii relevant pentru:
 - (a) reducerea sau eliminarea producerii, utilizarii si evacuarii poluantilor organici persistenti; si
 - (b) identificarea unor alternative pentru poluantii organici persistenti, inclusiv furnizarea de informatii asupra riscurilor reprezentate de aceste substante, precum si asupra costurilor economice si sociale.
2. Partile vor realiza schimbul de informatii mentionat in alineatul 1 in mod direct sau prin intermediul Secretariatului.
3. Fiecare Parte va desemna un punct focal national in vederea realizarii



schimbului de astfel de informații.

4. Secretariatul va servi drept centru de schimb al informațiilor privind poluanții organici persistenti, inclusiv al informațiilor furnizate de către Parti și de către organizațiile interguvernamentale și non-guvernamentale.
5. Pentru o mai bună înțelegere a prezentei Convenții, informațiile asupra sănătății și siguranței oamenilor și mediului nu vor fi considerate confidențiale. Partile care realizează schimburi de alte informații în aplicarea prezentei Convenții, vor respecta caracterul confidențial al informațiilor, după cum s-a stabilit de comun acord.

Articolul 10

Informarea, sensibilizarea și educarea publicului

1. Fiecare Parte, în limita mijloacelor de care dispune, va promova și facilita:
 - (a) sensibilizarea responsabililor politici și factorilor de decizie asupra poluanților organici persistenti;
 - (b) punerea la dispoziția publicului a informațiilor asupra poluanților organici persistenti, luând în considerare dispozițiile incluse în alineatul 5 al Articolului 9;
 - (c) elaborarea și implementarea, în special pentru femei, copii, și categoriile mai puțin educate, a programelor educationale și de sensibilizare a publicului referitoare la poluanții organici persistenti, și la efectele lor asupra sănătății oamenilor și asupra mediului înconjurător, precum și la soluțiile de înlocuire;
 - (d) participarea publicului la abordarea problemei reprezentate de poluanții organici persistenti și de efectele lor asupra sănătății oamenilor și asupra mediului înconjurător, și la elaborarea soluțiilor adecvate, inclusiv a posibilităților de contribuții la nivel național pentru implementarea prezentei Convenții;
 - (e) instruirea funcționarilor, oamenilor de știință, profesorilor, personalului tehnic și de conducere;
 - (f) elaborarea și schimbul de materiale educationale și de sensibilizare a publicului la nivel național și internațional; și
 - (g) elaborarea și implementarea programelor educationale și de instruire a publicului la nivel național și internațional.
2. Fiecare Parte, în limita mijloacelor de care dispune, va asigura accesul publicului la informațiile menționate în alineatul 1 și actualizarea informațiilor;
3. Fiecare Parte, în limita mijloacelor de care dispune, va încuraja utilizatorii industriali și profesioniști să promoveze și să faciliteze furnizarea informațiilor menționate în alineatul 1, la nivel național, și, dacă e cazul, la nivel subregional, regional și internațional.
4. Pentru furnizarea informațiilor asupra poluanților organici persistenti și a



inlocuirilor acestora, Partile vor utiliza fise tehnice de siguranta, rapoarte, mijloace media si de alt tip, si vor stabili centrele de informare la nivel national si regional.

5. Fiecare Parte va acorda atentia cuvenita elaborarii unor mecanisme, cum ar fi inregistrarea evacuarilor si transferului de poluanti, pentru colectarea si difuzarea informatiilor asupra estimarilor cantitatilor anuale de substante chimice incluse in Anexa A, B sau C care sunt emanate sau eliminate.

Articolul 11 Cercetarea, dezvoltarea si monitorizarea

1. In limita mijloacelor de care dispun, Partile vor incuraja si/sau vor intreprinde, la nivel national si international, actiunile corespunzatoare de cercetare- dezvoltare, monitorizare si cooperare care vizeaza poluantii organici persistenti, si, acolo unde este cazul, inlocuitorii sau poluantii organici persistenti potentiali, furnizand informatii asupra:
 - a) surselor si evacuarilor in mediul inconjurator;
 - b) prezentei, nivelurilor si tendintelor de dezvoltare la oameni si in mediul inconjurator;
 - c) transportului, evolutiei si transformarii in mediul inconjurator;
 - d) efectelor asupra sanatatii oamenilor si mediului inconjurator;
 - e) impactelor socio-economice si culturale;
 - f) reducerii si/sau eliminarii evacuarilor; si
 - g) metodologiilor armonizate pentru realizarea inventariilor de surse generatoare si tehnici analitice pentru masurarea emisiilor;
2. Pentru initierea activitatilor in conformitate cu alineatul 1 al prezentului articol, in masura mijloacelor de care dispun, Partile vor:
 - a) sprijini si dezvolta in continuare, daca este cazul, programele internationale, retelele si organizatiile care au ca obiect definirea, realizarea, evaluarea si finantarea cercetarilor, colectarea de date si monitorizarea lor, tinand cont de necesitatea minimalizarii dublarii eforturilor;
 - b) sprijini eforturile nationale si internationale care vizeaza imbunatatirea capacitatilor nationale de cercetare stiintifica si tehnica, in special in tarile in curs de dezvoltare si in tarile cu economie in tranzitie si vor favoriza accesul la date si analize, precum si schimbul lor;
 - c) tine cont de preocuparile si necesitatile tarilor in curs de dezvoltare si ale celor cu economie in tranzitie - in special de necesitatile in materie de resurse financiare si tehnice - si vor coopera pentru imbunatatirea capacitatilor de participare a acestor tari la eforturile mentionate la literele a) si b);
 - d) intreprinde cercetari care vizeaza reducerea efectelor poluantilor organici persistenti asupra sanatatii reproducerii;
 - e) pune la dispozitia publicului rezultatele activitatilor de cercetare, dezvoltare



si monitorizare mentionate in acest alineat, la timp, si la intervale regulate; si

f) incuraja cooperarea si/sau vor initia cooperarea pentru stocarea si reactualizarea informatiilor obtinute din activitatile de cercetare, dezvoltare si monitorizare.

Articolul 12 Asistenta tehnica

1. Partile recunosc ca furnizarea unei asistente tehnice adecvate in timp util la cererea Partilor - tari in curs de dezvoltare sau cu economie in tranzitie, este esentiala pentru aplicarea cu succes a prezentei Conventii.

2. Partile vor coopera pentru a furniza in timp util o asistenta tehnica adecvata Partilor - tari in curs de dezvoltare sau cu economie in tranzitie pentru a le acorda ajutor, in functie de necesitatile lor, in vederea dezvoltarii si imbunatatirii mijloacelor de implementare a obligatiilor ce le revin prin prezenta Conventie.

3. In aceasta privinta asistenta tehnica care urmeaza a fi furnizata de catre tarile dezvoltate Parti si de alte Parti in masura mijloacelor de care dispun va cuprinde, dupa cum s-a stabilit de comun acord, o asistenta tehnica pentru construirea capacitatii privind implementarea obligatiilor care decurg din aceasta Conventie. Informatii suplimentare in aceasta privinta vor fi furnizate de catre Conferinta Partilor.

4. Partile vor stabili, daca este cazul, masuri pentru furnizarea asistentei tehnice si pentru promovarea transferului de tehnologie Partilor - tari in curs de dezvoltare sau cu economie in tranzitie, in vederea implementarii prezentei Conventii. Aceste masuri vor include infiintarea unor centre regionale si subregionale pentru construirea capacitatilor si transferul de tehnologie in vederea sprijinirii dezvoltarii necesare Partilor - tari in curs de dezvoltare sau cu economie in tranzitie, pentru a-si indeplini obligatiile ce le revin prin prezenta Conventie. Informatii suplimentare in aceasta privinta vor fi furnizate de catre Conferinta Partilor.

5. In contextul acestui articol, Partile vor tine cont pe deplin in deciziile lor ce vizeaza asistenta tehnica, de nevoile specifice si de situatia speciala a tarilor cel mai putin dezvoltate si a tarilor in curs de dezvoltare care sunt insule mici.

Articolul 13 Resurse financiare si mecanisme de finantare

1. Fiecare Parte initiaza furnizarea, in functie de mijloacele de care dispune, a sprijinului financiar si stimulentei in ceea ce priveste activitatile intreprinse la nivel national in vederea indeplinirii obiectivelor Conventiei in conformitate cu planurile, prioritatile si programele nationale.



2. Tari dezvoltate care sunt Parti vor furniza noi resurse financiare suplimentare pentru a permite Partilor - tari in curs de dezvoltare sau cu economie in tranzitie sa acopere costurile suplimentare ale masurilor de implementare, prin care sunt indeplinite obligatiile impuse prin prezenta Conventie, dupa cum s-a stabilit intre o Parte beneficiara si un organism care participa la mecanismul descris in aliniatul 6. Alte Parti pot oferi astfel de resurse financiare in mod voluntar si in limita mijloacelor de care dispun. Vor fi incurajate si contributiile provenite din alte surse. Implementarea acestor obligatii va tine cont de nevoia de concordanta, anticipare, de fluxul de fonduri realizat la timp si de importanta impartirii sarcinilor intre Partile contribuabile.
3. Partile - tari dezvoltate precum si alte Parti, in limita mijloacelor de care dispun, si in conformitate cu planurile, prioritatile si programele nationale, vor furniza atat tarilor in curs de dezvoltare cat si celor cu economie in tranzitie, care sunt Parti ale Conventiei, resurse financiare pentru a le ajuta in implementarea acestei Conventii prin surse sau cai bilaterale, regionale si multilaterale.
4. Masura in care Partile - tari in curs de dezvoltare vor implementa efectiv obligatiile ce le revin prin prezenta Conventie, va depinde de masura in care Partile - tari dezvoltate isi vor indeplini obligatiile ce le revin prin prezenta conventie in legatura cu resursele financiare, asistenta tehnica si transferul de tehnologie. Se va tine cont de faptul ca dezvoltarea economica si sociala durabila si eliminarea saraciei reprezinta prioritatea absoluta pentru tarile in curs de dezvoltare, precum si de necesitatea de a proteja sanatatea oamenilor si mediul inconjurator.
5. Partile vor lua pe deplin in considerare nevoile specifice si situatia speciala a tarilor celor mai putin dezvoltate si a statelor in curs de dezvoltare - insule mici, in luarea deciziilor care vizeaza finantarea.
6. In prezenta Conventie se defineste un mecanism necesar furnizarii resurselor financiare adecvate si durabile pentru Partile - tari in curs de dezvoltare si tari cu economie in tranzitie - ca subventie sau concesiune in vederea acordarii sprijinului pentru implementarea Conventiei. Mecanismul va functiona sub autoritatea, daca este cazul, sau indrumarea Conferintei Partilor, carea ii va raporta, in scopurile prevazute in aceasta Conventie. Administrarea sa va fi incredintata unui sau mai multor organisme, inclusiv organismelor internationale existente, conform hotararilor Conferintei Partilor. Mecanismul va include de asemenea alte organisme care vor asigura asistenta tehnica si financiara la nivel multilateral, regional si bilateral. Contributiile pentru acest mecanism vor fi adaugate altor transfere financiare catre Partile tari in curs de dezvoltare sau cu economie in tranzitie, dupa cum se mentioneaza in alineatul 2 si in conformitate cu dispozitiile incluse in acest aliniat.
7. In conformitate cu obiectivele Conventiei si cu alineatul 6, Conferinta Partilor va adopta la prima reuniune directive adecvate care urmeaza a fi aplicate mecanismului, si va stabili organismul sau organismele participante



la mecanismul financiar, conform reglementarilor care urmeaza sa intre in vigoare. Directivele se vor referi, printre altele, la:

- (a) definirea priorităților în materie de politică, strategie și programe prioritare, precum și a criteriilor clare și detaliate de eligibilitate pentru accesul la resursele financiare și utilizarea acestora, inclusiv monitorizarea și evaluarea la interval regulat a unei asemenea utilizări;
 - (b) prezentarea în atenția Conferinței Partilor de către un organism sau mai multe organisme a raporturilor periodice asupra corectitudinii și regularității procesului de finanțare a activităților necesare pentru implementarea prezentei Convenții;
 - (c) promovarea metodelor, mecanismelor și dispozițiilor de finanțare bazate pe mai multe surse de finanțare;
 - (d) modalități pentru determinarea într-un mod previzibil și clar a sumei de resurse financiare și disponibile pentru implementarea acestei Convenții, ținând cont de faptul că eliminarea poluanților organici persistenți ar putea necesita finanțări sustinute, și ținând cont de condițiile în care aceasta sumă va face obiectul unei examinări periodice;
 - (e) modalități de furnizare către Partile interesate a unui ajutor pentru evaluarea necesităților, informațiilor și surselor de finanțare disponibile și a modurilor de finanțare, pentru facilitarea coordonării între ele.
8. Conferința Partilor va examina, cel târziu la cea de-a doua reuniune și în continuare la intervale regulate, eficacitatea mecanismului stabilit în conformitate cu acest Articol, capacitatea sa de a răspunde nevoilor din ce în ce mai mari ale Partilor - țări în curs de dezvoltare sau cu economie în tranziție, criteriile și dispozițiile menționate în alineatul 7, nivelul finanțării precum și eficacitatea organismelor instituționale însărcinate cu administrarea mecanismului de finanțare. Pe baza acestei examinări, va lua măsurile necesare, și, dacă e cazul, va îmbunătăți eficiența mecanismului, formulând recomandări și dispoziții asupra măsurilor prin care se pot asigura finanțări adecvate și durabile pentru satisfacerea nevoilor Partilor.

Articolul 14 Proiecte financiare provizorii

Structura instituțională a Fondului Global pentru Mediu, care funcționează în conformitate cu Instrumentul pentru Stabilirea Fondului Global pentru Mediu Restructurat va fi, pe baza de interimat, principalul organism însărcinat cu funcționarea mecanismului financiar menționat în articolul 13, pe o perioadă cuprinsă între data intrării în vigoare a prezentei Convenții și prima reuniune a Conferinței Partilor, sau până în momentul în care Conferința Partilor va hotărî structura instituțională care va fi desemnată în conformitate cu articolul 13. Structura instituțională a Fondului Global pentru Mediu ar trebui să îndeplinească această funcție prin intermediul măsurilor operaționale care vizează poluanții organici persistenți, ținând cont de eventualitatea în care vor fi necesare noi dispoziții în această privință.



Articolul 15 Raportarea

1. Fiecare Parte va raporta Conferintei Partilor masurile pe care le-a luat in vederea implementarii prevederilor acestei Conventii si eficacitatea unor asemenea masuri pentru realizarea obiectivelor Conventiei.
2. Fiecare Parte va furniza Secretariatului:
 - (a) date statistice asupra cantitatilor totale de substante chimice produse, importate si exportate incluse in Anexa A si Anexa B sau o evaluare realista a acestor cantitati; si
 - (b) in masura in care poate fi pusa in practica, lista cu Statele de la care s-a importat fiecare substanta, si cu Statele care au exportat fiecare substanta.
3. Raportarile se fac periodic si intr-un format care va fi hotarat ulterior de catre Conferinta Partilor la prima reuniune.

Articolul 16 Evaluarea eficacitatii

1. La patru ani dupa intrarea in vigoare a acestei Conventii, si la intervale regulate care vor fi hotarate de Conferinta Partilor, Conferinta va evalua eficacitatea prezentei Conventii;
2. In vederea facilitarii unei asemenea evaluari, Conferinta Partilor va intocmi, la prima reuniune, proiectele prin care i se va asigura accesul la datele de monitorizare asupra prezentei substantelor chimice enumerate in Anexele A, B si C, precum si asupra propagarii in mediu la nivel regional si mondial. Aceste proiecte:
 - (a) ar trebui implementate de catre Parti la nivel regional atunci cand este cazul, in conformitate cu mijloacele tehnice si financiare de care dispun, folosind programele si mecanismele de monitorizare existente care favorizeaza armonizarea metodelor;
 - (b) pot fi completate acolo unde este necesar, luand in considerare diferentele dintre regiuni si capacitatile lor de realizare a activitatilor de monitorizare; si
 - (c) vor include rapoarte catre Conferinta Partilor asupra rezultatelor activitatilor de monitorizare la nivel regional si global, la intervale care urmeaza a fi stabilite de catre Conferinta Partilor.
3. Evaluarea prezentata in alineatul 1 va fi realizata pe baza informatiilor stiintifice, ecologice, tehnice si economice disponibile, inclusiv pe baza:
 - (a) rapoartelor si a altor date de monitorizare in conformitate cu alineatul 2;
 - (b) rapoartelor nationale prezentate in conformitate cu articolul 15; si
 - (c) informatiilor referitoare la nerespectare furnizate in conformitate cu procedurile stabilite conform Articolului 17.



Articolul 17
Neconformarea

Conferinta Partilor va elabora si va aproba procedurile si mecanismele institutionale pentru determinarea masurii in care dispozitiile prezentei Conventii nu au fost respectate si a masurilor care trebuie luate cu privire la Partile care nu respecta prezenta Conventie.

Articolul 18
Solutionarea diferendelor

1. Partile vor solutiona orice diferend care apare intre ele, legat de interpretarea sau de aplicarea Conventiei, prin negocieri sau prin orice alt mijloc pasnic, la alegerea lor.

2. In momentul ratificarii, acceptarii, aprobarii sau aderarii la prezenta Conventie, sau in orice alt moment ulterior, orice Parte care nu este organizatie de integrare economica regionala, poate declara in cadrul unui instrument scris transmis depozitarului ca, pentru orice diferend legat de interpretarea sau aplicarea Conventiei, ea recunoaste ca obligatoriu unul sau ambele mijloace urmatoare de solutionare a diferendelor in relatia cu o Parte care accepta aceeasi obligatie:

a) arbitrajul, conform procedurilor care vor fi adoptate cat mai curand posibil de catre Conferinta Partilor, si incluse intr-o anexa;

b) supunerea diferendului Curtii Internationale de Justitie.

3. O Parte care este organizatie regionala de integrare economica poate face o declaratie cu efect similar referitoare la arbitraj, in conformitate cu procedura mentionata in alineatul 2 (a).

4. Orice declaratie facuta in conformitate cu alineatul 2 sau alineatul 3 va ramane in vigoare pana la data expirarii termenului stipulat in continutul sau, sau pana la expirarea termenului de trei luni de la data depunerii la depozitar a notificarii scrise a revocarii sale.

5. Expirarea unei declaratii, notificarea revocarii unei declaratii sau depunerea unei noi declaratii nu va afecta cu nimic procedura declansata in fata unui tribunal arbitral sau in fata Curtii internationale de Justitie, cu conditia ca partile la diferend sa nu convina altfel.

6. In cazul in care partile implicate in diferend nu au acceptat acelasi mijloc de solutionare a diferendelor sau nici una din solutiile prevazute in alineatul 2, si daca ele nu au putut solutiona diferendul in 12 luni de la data prezentarii notificarii de catre o parte catre cealalta parte cu privire la existenta unui diferend intre ele, diferendul va fi supus unei comisii de conciliere, la cererea



unei parti la diferend. Comisia de conciliere va prezenta un raport cu recomandari. Procedurile suplimentare privind comisia de conciliere vor fi incluse intr-o anexa adoptata de catre Conferinta Partilor cel mai tarziu la cea de-a doua reuniune.

Articolul 19 Conferinta Partilor

1. Este constituita o Conferinta a Partilor.
2. Prima reuniune a Conferintei Partilor va fi convocata de catre Directorul Executiv al Programului Natiunilor Unite de Mediu, nu mai tarziu de un an de la intrarea in vigoare a prezentei Conventii. Ulterior, reuniunile ordinare ale Conferintei Partilor vor avea loc la intervale regulate stabilite de Conferinta.
3. Reuniunile extraordinare ale Conferintei Partilor vor putea avea loc in orice moment in cazul in care Conferinta Partilor considera necesar, sau la cererea scrisa a uneia dintre Parti, cu conditia ca aceasta cerere sa fie sustinuta de cel putin o treime din numarul Partilor.
4. Conferinta Partilor va hotari si adopta prin consens, la prima reuniune, regulamentul de functionare si regulamentul financiar, precum si regulamentele oricaror organe subsidiare, precum si dispozitiile financiare care guverneaza functionarea Secretariatului.
5. Conferinta Partilor va urmari si evalua in permanenta aplicarea prezentei Conventii. Ea va indeplini functiile care ii revin prin Conventie si, in acest scop:
 - a) va crea, in conformitate cu alineatul 6, organele subsidiare considerate necesare pentru aplicarea Conventiei;
 - b) va coopera, dupa caz, cu organizatiile internationale si organismele interguvernamentale si nonguvernamentale competente; si
 - c) va revizui in mod sistematic toate informatiile puse la dispozitia Partilor in conformitate cu articolul 15, inclusiv evaluari ale eficacitatii prevazute la litera 2 b (iii), articolul 3;
 - d) va examina si va lua orice masura necesara pentru realizarea obiectivelor Conventiei.
6. Conferinta Partilor, la prima reuniune, va infiinta un organ auxiliar cu denumirea de Comitet de Studiu al Poluantilor Organici Persistenti, care va exercita functiile ce ii revin prin prezenta Conventie. In acest scop:
 - a) membrii Comitetului de Studiu al Poluantilor Organici Persistenti vor fi numiti de catre Conferinta Partilor. Comitetul va fi compus dintr-un numar limitat de specialisti in evaluarea si gestiunea produselor chimice, desemnati de catre guverne. Membrii Comitetului vor fi numiti pe baza



unei repartitii geografice echitabile pentru a se asigura un echilibru intre Partile – tari dezvoltate si Partile – tari in curs de dezvoltare.

b) Conferinta Partilor va hotari mandatul, organizarea si functionarea Comitetului.

c) Comitetul va depune toate eforturile in vederea adoptarii recomandarilor sale prin consens. Atunci cand toate eforturile pentru obtinerea consensului raman fara rezultate, recomandarile vor fi adoptate, in ultima instanta, cu votul unei majoritati de doua treimi din membrii prezenti si care isi exercita dreptul de vot.

7. Conferinta Partilor va evalua, la cea de-a treia reuniune, necesitatea continua a aplicarii procedurii incluse in alineatul 2 (b) al Articolului 3, si va include si evaluari asupra eficacitatii sale.

8. Organizatia Natiunilor Unite, institutiile sale specializate si Agentia Internationala a Energiei Atomice, precum si orice stat care nu este Parte a prezentei Conventii, pot participa la reuniunile Conferintei Partilor in calitate de observatori. Orice organ sau agentie nationala sau internationala, guvernamentala sau neguvernamentala, competenta in domeniile vizate de catre Conventie si care a informat Secretariatul in legatura cu dorinta sa de a fi reprezentat la o reuniune a Conferintei Partilor in calitate de observator, poate fi admisa ca participant la aceasta reuniune cu exceptia cazului in care o treime din Parti se opune. Admiterea si participarea observatorilor trebuie sa fie in conformitate cu regulamentul de functionare adoptat de Conferinta Partilor.

Articolul 20 Secretariatul

1. Se constituie un Secretariat.

2. Functiile Secretariatului sunt urmatoarele:

- a) organizarea reuniunilor Conferintei Partilor si a organelor sale subsidiare si furnizarea serviciilor solicitate de catre acestea;
- b) facilitarea acordarii de asistenta catre Parti, in special catre Partile care sunt tari in curs de dezvoltare sau tari cu economie in tranzitie, la cerere, in vederea implemenetarii acestei Conventii;
- c) asigurarea coordonarii necesare cu secretariatele altor organisme internationale competente;
- d) elaborarea si punerea la dispozitia Partilor a rapoartelor periodice bazate pe informatiile primite, in conformitate cu articolul 15 si pe alte informatii disponibile;



- e) stabilirea, sub supravegherea Conferintei Partilor, a aranjamentelor administrative si contractuale care ar putea fi necesare pentru indeplinirea functiilor sale intr-un mod eficient;
 - f) indeplinirea altor sarcini de secretariat prevazute in prezenta Conventie si a oricarei alte functii care i-ar putea fi incredintata de catre Conferinta Partilor.
3. Functiile de Secretariat al Conventiei sunt asigurate de catre Directorul Executiv al Programului Natiunilor Unite de Mediu, cu exceptia cazului in care Conferinta Partilor hotaraste, cu o majoritate de trei patrimi dintre Partile prezente si care isi exercita dreptul de vot, sa incredinteze functiile de Secretariat uneia sau mai multor organizatii internationale.

Articolul 21 Amendamentele aduse Conventiei

1. Orice Parte poate propune amendamente la aceasta Conventie.
2. Amendamentele la prezenta Conventie vor fi adoptate in cadrul unei reuniuni a Conferintei Partilor. Textul oricarei propuneri de amendament este comunicat Partilor de catre Secretariat cu cel putin sase luni inaintea reuniunii la care este prezentat spre adoptare. Secretariatul comunica de asemenea propunerile de amendament semnatarilor prezentei Conventii, si, pentru informare, Depozitarului.
3. Partile vor face toate eforturile posibile pentru a ajunge la un acord, prin consens, asupra oricarei propuneri de amendament la prezenta Conventie. Daca toate eforturile in vederea atingerii consensului se dovedesc a fi inutile, si nu se ajunge la nici un acord, amendamentul va fi adoptat, in ultima instanta, cu votul unei majoritati de trei patrimi din Partile prezente si care isi exercita dreptul de vot.
4. Depozitarul va comunica amendamentul tuturor Partilor in vederea ratificarii, acceptarii sau aprobarii.
5. Ratificarea, acceptarea sau aprobarea unui amendament va fi notificata in scris Depozitarului. Orice amendament adoptat conform alineatului 3 va intra in vigoare pentru Partile care l-au acceptat in a nouazecea zi de la data depunerii instrumentului de ratificare, acceptare sau aprobare a amendamentului de catre cel putin trei patrimi din Parti. Ulterior, amendamentul va intra in vigoare pentru orice Parte in a nouazecea zi de la data depozitarii de acea Parte a instrumentului sau de ratificare, acceptare sau aprobare a amendamentului.



Articolul 22
Adoptarea si amendamentele anexelor

1. Anexele prezentei Conventii fac parte integranta din Conventie, si, daca nu se prevede altfel, o referinta la Conventie constituie in acelasi timp o referinta la oricare din anexele acesteia.
2. Orice noua anexa se va limita la problemele de procedura si la problemele cu caracter stiintific, tehnic sau administrativ.

Urmatoarea procedura se va aplica propunerii, adoptarii si intrarii in vigoare a anexelor aditionale la prezenta Conventie:

- a) anexele aditionale vor fi propuse si adoptate conform procedurii stabilitee in alineatele 1, 2 si 3 ale Articolului 21.
 - b) orice Parte care nu este in masura sa accepte o anexa aditionala va notifica in scris, acest fapt depozitarului, intr-o perioada de un an de la data comunicarii de catre Depozitar a adoptarii anexei aditionale. Depozitarul va informa, fara intarziere, toate Partile asupra notificarii primite. O Parte poate retrage, in orice moment o notificare anterioara de neacceptare cu privire la o anexa aditionala si anexa respectiva va intra in vigoare, incepand cu acest moment, pentru aceasta Parte conform literei c) si
 - c) la expirarea termenului de un an de la data comunicarii de catre Depozitar a adoptarii unei anexe aditionale, anexa respectiva va intra in vigoare pentru toate Partile care nu au transmis o notificare in conformitate cu dispozitiile literei b).
3. Propunerea, adoptarea si intrarea in vigoare a amendamentelor Anexei A, B si C vor fi supuse acelorasi proceduri ca si propunerea, adoptarea si intrarea in vigoare a anexelor aditionale la acesta Conventie, cu exceptia unui amendament la Anexele A, B sau C, care nu va intra in vigoare pentru o Parte care a facut o declaratie referitoare la amendamentele la aceste Anexe in conformitate cu alineatul 4 al articolului 25, caz in care, un asemenea amendament va intra in vigoare pentru aceasta Parte in a nouazecea zi de la data depunerii la depozitar a instrumentului de ratificare, acceptare, aprobare sau aderare cu privire la acest amendament.
5. Urmatoarea procedura se aplica in cazul propunerii, adoptarii si intrarii in vigoare a oricarui amendament la anexele D, E sau F:
- a) amendamentele vor fi propuse conform procedurii prevazute in alineatele 1 si 2 ale Articolului 21;
 - b) Partile vor adopta hotarari cu privire la oricare amendament la anexele D, E sau F prin consens;
 - c) orice hotarare de amendare a anexelor D, E sau F este imediat



comunicata Partilor de catre depozitar. Acest amendament va intra in vigoare pentru toate Partile la data indicata in hotarare.

6. Atunci cand o anexa aditionala sau un amendament adus unei anexe se refera la un amendament la Conventie, anexa aditionala sau amendamentul respectiv nu va intra in vigoare decat atunci cand amendamentul la Conventie va intra in vigoare.

Articolul 23 Dreptul de vot

1. Fiecare Parte la aceasta Conventie va dispune de un vot, cu exceptia dispozitiilor din alineatul 2.

2. O organizatie regionala de integrare economica, pentru a-si exercita dreptul de vot in domeniile care se afla in competenta sa, va dispune de un numar de voturi egal cu numarul de state membre care sunt Parti la Conventie. Organizatia nu isi va exercita dreptul de vot daca unul din Statele sale Membre il exercita pe al sau, si invers.

Articolul 24 Semnarea

Prezenta Conventie va fi deschisa pentru semnare tuturor Statelor si organizatiilor regionale de integrare economica la Stockholm, la 23 mai 2001 si la sediul Organizatiei Natiunilor Unite din New York, intre 24 mai 2001 si 22 mai 2002.

Articolul 25 Ratificarea, acceptarea, aprobarea sau aderarea

1. Prezenta Conventie este supusa ratificarii, acceptarii sau aprobarii de catre Statele membre si de catre organizatiile regionale de integrare economica. Ea va fi deschisa spre aderare statelor si organizatiilor regionale de integrare economica din ziua urmatoare datei la care este inchisa pentru semnare. Instrumentele de ratificare, acceptare, aprobare sau aderare sunt depuse la depozitar.

2. Oricarei organizatii regionale de integrare economica care devine Parte la prezenta Conventie fara ca nici unul din Statele membre sa fie Parti la Conventie ii revin toate obligatiile mentionate in Conventie. Atunci cand unul sau mai multe State membre ale uneia dintre aceste organizatii sunt Parti la Conventie, organizatia si statele sale membre convin asupra responsabilitatilor care le revin prin prezenta Conventie. In acest caz,



organizatia si Statele sale membre nu sunt abilitate sa exercite in acelasi timp drepturile prevazute in prezenta Conventie.

3. In instrumentele lor de ratificare, acceptare, aprobare sau aderare, organizatiile regionale de integrare economica vor indica limitele competentei lor cu privire la problemele reglementare in Conventie. Aceste organizatii informeaza depozitarul, care comunica, la randul sau, Partilor, oricare modificari importante ale limitelor competentei lor.

4. In instrumentul sau de ratificare, de acceptare, aprobare sau de aderare, orice Parte poate declara ca, in ceea ce o priveste, orice amendament adus Anexei A, B sau C va intra in vigoare doar la depunerea instrumentului sau de ratificare, acceptare, aprobare sau aderare cu privire la acest amendament.

Articolul 26 Intrarea in vigoare

1. Prezenta Conventie va intra in vigoare in a nouazecea zi de la data depunerii celui de al cincizecilea instrument de ratificare, acceptare, aprobare sau aderare.

2. Pentru fiecare Stat sau organizatie regionala de integrare economica care ratifica, accepta, aproba sau adera la Conventie dupa depunerea celui de al cincizecilea instrument de ratificare, acceptare, aprobare sau aderare, Conventia intra in vigoare in a nouazecea zi de la data depunerii de catre acest Stat sau de catre aceasta organizatie a instrumentului sau de ratificare, de acceptare, de aprobare sau de aderare.

3. In scopul alineatelor 1 si 2, instrumentul depus de catre o organizatie regionala de integrare economica nu va fi considerat drept un instrument additional celor depuse de catre Statele membre ale organizatiei respective.

Articolul 27 Rezerve

Nici o rezerva nu poate fi facuta la prezenta Conventie.

Articolul 28 Retragerea

1. Oricand dupa expirarea unei perioade de 3 ani de la data intrarii in vigoare a prezentei Conventii pentru o anumita Parte, această Parte se poate retrage din Conventie prin intermediul unei notificari scrise transmise depozitarului.

2. Retragerea va produce efecte la expirarea unei perioade de un an de la data primirii de catre depozitar a notificarii de retragere, sau la o data



ulterioara prevazuta in notificarea de retragere.

Articolul 29
Depozitarul

Secretarul General al Organizatiei Natiunilor Unite este Depozitarul acestei Conventii.

Articolul 30
Texte autentice

Originalul acestei Conventii, ale carei texte in limbile araba, chineza, engleza, franceza, spaniola si rusa sunt egal autentice, va fi depozitat la Secretarul General al Natiunilor Unite.

Drept care, subsemnatii, pe deplin imputerniciti in acest sens, au semnat prezenta Conventie.

Adoptata la Stockholm, in data de douazeci si doi mai, doua mii unu.



Anexa A

ELIMINARI

Partea I

Substanta chimica	Activitate	Derogare specifica
Aldrin* CAS nr: 309-00-2	Producere	Nici una
	Utilizare	Ectoparazitar local insecticid
Clordan* CAS nr: 57 – 74 – 9	Producere	Conform autorizatiilor acordate Partilor incluse in registru
	Utilizare	Ectoparazitar local Insecticid Termiticid Termiticid pentru cladiri si baraje Termiticid pentru drumuri Aditiv in adezivii de placaj
Dieldrin* CAS nr.: 60 – 57 – 1	Producere	Nici una
	Utilizare	In activitati agricole
Endrin*: CAS nr.: 72 – 20 – 8	producere	Nici una
	Utilizare	Nici una
Heptaclor* CAS nr.: 76 – 44 – 8	producere	Nici una
	Utilizare	Termiticid Termiticid pentru sarpantele caselor Termiticid (subteran) Tratarea lemnului Strat izolant pentru cablu-rile subterane
Hexaclorbenzen CAS nr.: 118 – 74 – 1	Producere	Conform autorizatiilor acordate partilor incluse in registru
	Utilizare	Produs intermediar Solvent in pesticide Intermediar intr-o situatie delimitata intr-un sistem inchis
Mirex* CAS nr.: 2385 – 85 – 5	Producere	Conform autorizatiilor acordate partilor incluse in registru
	Utilizare	Termiticid
Toxafen: CAS nr.: 8001 – 35 - 2	Producere	Nici una
	Utilizare	Nici una



Bifenili policlorurati (PCB)*	Producere	Nici una
	Utilizare	Articole utilizate in conformitate cu prevederile Partii II a prezentei Anexe

Note:

- (i) In afara cazului in care se specifica altceva in Conventie, cantitatile de substanta chimica prezente in urme in produse si articole sub forma de contaminanti in mod accidental nu vor fi considerate semnificative pentru a fi incluse in aceasta Anexa;
- (ii) Aceasta nota nu va fi considerata ca derogare specifica la producere sau la utilizare in scopurile enuntate in alineatul 2, Articolul 3. Cantitatile de substanta chimica prezente ca parti componente ale articolelor fabricate sau deja utilizate inainte sau la data intrarii in vigoare a obligatiei relevante referitoare la acea substanta chimica, nu vor fi considerate semnificative pentru a fi incluse in aceasta Anexa, cu conditia ca o Parte sa fi adus la cunostinta Secretariatului faptul ca un anumit tip de articol este in continuare utilizat pe teritoriul acelei Parti. Secretariatul va pune aceste notificari la dispozitia publicului.
- (iii) Aceasta nota, care nu se aplica substantelor chimice a caror denumire este urmata de un asterisc in coloana "Substanta chimica" din partea I a prezentei anexe, nu va fi considerata derogare specifica de producere sau utilizare in vederea alineatului 2, Articolul 3. Dat fiind faptul ca este de asteptat ca la oameni si in mediul inconjurator sa ajunga cantitati nesemnificative din substanta chimica, in timpul productiei si utilizarii unui intermediar (semifabricat) intr-o situatie delimitata (restransa) intr-un sistem inchis, Partea, care instiinteaza Secretariatul in legatura cu acest lucru, poate permite producerea si utilizarea a cantitatilor de substanta chimica ca intermediar intr-o situatie delimitata intr-un sistem inchis, inclusa in aceasta anexa transformata chimic in cursul procesului de fabricare a altor substante chimice, luand in considerare criteriile enuntate in alineatul 1, Anexa D, daca substanta nu manifesta caracteristicile poluantilor organici persistenti. Aceasta notificare include informatii referitoare la productia totala si la utilizarea acestei substante chimice sau o evaluare reala a acestor informatii, pre cum si informatii cu privire la natura procesului in situatie limitata in circuit inchis inclusiv cantitatea de poluant organic persistent ca material initial netransformat si prezent sub forma de contaminant in urme , in mod accidental, in produsul final. Aceasta procedura se va aplica cu exceptia cazului in care exista o dispozitie contrara in prezenta Anexa. Secretariatul va pune aceste notificari la dispozitia Conferintei Partilor si a publicului. Aceasta productie sau utilizare nu este considerata derogare specifica la producere sau la utilizare. Aceasta productie sau utilizare inceteaza dupa o perioada de zece ani, cu conditia ca partea implicata sa adreseze o noua notificare Secretariatului, situatie in care perioada va fi prelungita cu inca zece ani, cu exceptia cazului in care Conferinta Partilor, dupa o examinare a



producerii si utilizarii hotaraste altfel. Aceasta procedura de notificare poate fi repetata.

- (iv) Partile care au inregistrat derogarile in conformitate cu articolul 4 pot folosi toate derogarile specifice din aceasta Anexa cu exceptia utilizarii bifenililor policlorurati in articolele in utilizare (exploatare), in conformitate cu prevederile Partii a II-a a prezentei Anexe, exceptie care trebuie aplicata de catre toate Partile.



Partea II

Bifenili policlorurati

Fiecare Parte :

- (a) cu privire la eliminarea utilizarii bifenililor policlorurati in echipamente (de ex. transformati, condensatori sau alte recipiente care contin lichide) pana in 2025, situatie supusa examinarii de catre Conferinta Partilor, va intreprinde actiuni in conformitate cu urmatoarele prioritati:
 - (i) va face eforturi sustinute pentru identificarea, etichetarea si scoaterea din circulatie a echipamentelor care contin bifenili policlorurati intr-o concentratie mai mare de 10 la suta si intr-un volum mai mare de 5 litri;
 - (ii) va face eforturi sustinute pentru identificarea, etichetarea si scoaterea din circulatie a echipamentelor care contin bifenili policlorurati intr-o concentratie mai mare de 0,05 la suta si intr-un volum mai mare de 5 litri;
 - (iii) se va stradui sa identifice si sa scoata din circulatie echipamentele care contin bifenili policlorurati intr-o concentratie mai mare de 0,005 la suta si intr-un volum mai mare de 0,05 litri;
- (b) in conformitate cu prioritatile de la litera (a), va promova urmatoarele masuri pentru reducerea expunerilor si a riscului si pentru controlul utilizarii bifenililor policlorurati:
 - (i) va folosi substanta numai in echipamente intacte care nu prezinta orificii de scurgere si numai in zone unde riscul de emanatie in mediul inconjurator poate fi minimizat sau remediat imediat;
 - (ii) nu va folosi substanta in echipamente situate in locurile legate de producerea sau tratarea alimentelor si a furajelor;
 - (iii) atunci cand substanta este folosita in zone populate, inclusiv scoli si spitale, se vor lua toate masurile necesare pentru prevenirea defectiunilor electrice care ar putea provoca un incendiu, si se vor inspecta regulat echipamentele pentru a identifica orificiile de scurgere.
- (c) fara a tine cont de alineatul 2 al articolului 3, va asigura ca echipamentele care contin bifenili policlorurati, ce prezinta caracteristicile descrise la litera (a), sa nu fie exportate sau importate decat in scopul unei gestionari rationale a deseurilor.
- (d) cu exceptia operatiunilor de intretinere, nu va permite recuperarea substantelor in scopul refolosirii acestora in alte echipamente continind lichide cu o concentratie de bifenili policlorurati mai mare de 0,005%;
- (e) Va face eforturi sustinute pentru realizarea unei gestiuni rationale a deseurilor de lichide care contin bifenili policlorurati intr-o concentratie mai mare de 0,005%, in conformitate cu alineatul 1 al articolului 6, cat mai curand posibil dar cel tarziu pana in 2028, cu conditia examinarii de catre Conferinta Partilor;
- (f) In locul notei (ii) din Partea I a acestei Anexe, va incerca sa identifice alte articole a caror concentratie de bifenili policlorurati depaseste 0,005% (de



exemplu invelisuri pentru cabluri, conservarea călăfătuirii (ștemuirii), obiecte vopsite) și le va gestiona în conformitate cu alineatul 1 al Articolului 6.

- (g) Va întocmi un raport o dată la cinci ani referitor la progresul înregistrat în eliminarea bifenililor policlorurați și îl va prezenta Conferinței Partilor în conformitate cu articolul 15;
- (h) Rapoartele prezentate la litera (g) vor fi examinate, dacă este cazul, de către Conferința Partilor în cadrul examenilor bifenililor policlorurați. Conferința Partilor va examina progresul înregistrat în vederea eliminării bifenililor policlorurați la un interval de cinci ani sau la un interval diferit, dacă e cazul, ținând cont de rapoartele vizate mai sus.



Anexa B

RESTRICTII

Partea I

Substanta chimica	Activitate	Scop acceptabil sau derogare specifica
DDT (1,1,1 – triclor-2,2-bis(4-clorfenil)etan) CAS nr. 50-29-3	Producere	<u>Scop acceptabil:</u> Utilizarea in controlul vectorilor maladiilor in conformitate cu Partea a II-a a acestei Anexe <u>Derogari specifice:</u> Intermediar in producerea dicofolului Produs intermediar
	Utilizare	<u>Scop acceptabil:</u> Controlul vectorului maladiilor in conformitate cu Partea a II-a a acestei Anexe. <u>Derogari specifice:</u> (ii) Producerea dicofolului Produs Intermediar

- (ii) In afara cazului in care se specifica altfel in Conventie, cantitatile de substanta chimica prezente in produse si articole sub forma de contaminanti, in urme, in mod accidental nu vor fi luate in considerare pentru a fi incluse in aceasta Anexa;
- (ii) Aceasta nota nu va fi considerata derogare specifica de productie sau de utilizare in scopurile enuntate in alineatul 2 al Articolului 3. Cantitatile de substanta chimica prezente ca parti componente ale articolelor fabricate sau deja utilizate inainte sau la data intrarii in vigoare a obligatiei relevante referitoare la acea substanta chimica, nu vor fi considerate semnificative pentru a fi incluse in aceasta Anexa, cu conditia ca o Parte sa fi adus la cunostinta Secretariatului faptul ca un anumit tip de articol este in continuare utilizat pe teritoriul acelei Parti. Secretariatul va pune aceste notificari la dispozitia publicului
- (iii) Aceasta nota, care nu se aplica substantelor chimice a caror denumire este urmata de un asterisc in coloana "Substanta chimica" din partea I a prezentei anexe, nu va fi considerata derogare specifica de productie sau utilizare in vederea alineatului 2, Articolul 3. Dat fiind faptul ca este de asteptat ca la oameni si in mediul inconjurator sa ajunga cantitati nesemnificative din substanta chimica, in timpul productiei si utilizarii unui intermediar (semifabricat) intr-o situatie delimitata (restransa) intr-un sistem inchis, Partea, care instiinteaza



Secretariatul in legatura cu acest lucru, poate permite producerea si utilizarea a cantitatilor de substanta chimica ca intermediar intr-o situatie delimitata intr-un sistem inchis, inclusa in aceasta anexa transformata chimic in cursul procesului de fabricare a altor substante chimice, luand in considerare criteriile enuntate in alineatul 1, Anexa D, daca substanta nu manifesta caracteristicile poluantilor organici persistenti. Aceasta notificare include informatii referitoare la productia totala si la utilizarea acestei substante chimice sau o evaluare reala a acestor informatii, pre cum si informatii cu privire la natura procesului in situatie limitata in circuit inchis inclusiv cantitatea de poluant organic persistent ca material initial netransformat si prezent sub forma de contaminant in urme, in mod accidental, in produsul final. Aceasta procedura se va aplica cu exceptia cazului in care exista o dispozitie contrara in prezenta Anexa. Secretariatul va pune aceste notificari la dispozitia Conferintei Partilor si a publicului. Aceasta productie sau utilizare nu este considerata derogare specifica la productie sau la utilizare. Aceasta productie sau utilizare inceteaza dupa o perioada de zece ani, cu conditia ca partea implicata sa adreseze o noua notificare Secretariatului, situatie in care perioada va fi prelungita cu inca zece ani, cu exceptia cazului in care Conferinta Partilor, dupa o examinare a producerii si utilizarii hotaraste altfel. Aceasta procedura de notificare poate fi repetata.

- (iv) Partile care au inregistrat derogarile specifice, in conformitate cu articolul 4 pot folosi toate derogarile prevazute in prezenta anexa.



Partea II

DDT (1,1,1 – triclor-2, 2-bis(4-clorfenil)etan)

1. Producerea si utilizarea DDT-ului vor fi eliminate cu exceptia cazului in care Partile care au anuntat Secretariatul asupra intentiei lor de productie si/sau utilizare a acestuia. Partile prezente vor intocmi un Registru cu DDT si il vor pune la dispozitia publicului. Secretariatul va tine Registrul DDT.
2. Fiecare Parte care produce si/sau utilizeaza DDT-ul va limita producerea si/sau utilizarea acestuia doar la combaterea vectorilor patogeni in conformitate cu recomandarile si instructiunile Organizatiei Mondiale a Sanatatii referitoare la utilizarea DDT-ului si atunci cand nu exista solutii de inlocuire sigure, eficiente si ieftine pentru Partea in chestiune.
3. In cazul in care fiecare Parte, care nu este inclusa in Registrul DDT, hotaraste ca are nevoie de DDT pentru combaterea vectorilor patogeni, va anunta Secretariatul cat mai curand posibil pentru ca numele sau sa fie adaugat in Registrul DDT. In acelasi timp va anunta Organizatia Mondiala a Sanatatii.
4. O data la trei ani, fiecare Parte care utilizeaza DDT-ul va furniza Secretariatului si Organizatiei Mondiale a Sanatatii informatii asupra cantitatii folosite, conditiilor de utilizare si interesului acordat strategiei profilactice a acestei Parti, intr-un format care va fi hotarat de catre Conferinta Partilor in consultanta cu Organizatia Mondiala a Sanatatii.
5. In scopul reducerii si in cele din urma a eliminarii utilizarii DDT-ului, Conferinta Partilor va incuraja:
 - (a) Elaborarea si implementarea de catre fiecare Parte, care foloseste DDT-ul, a unui plan de actiune in cadrul planului de implementare specificat in Articolul 7. Planul de actiune va include:
 - i) Elaborarea mecanismelor de reglementare si de alta natura pentru a asigura ca utilizarea DDT-ului este limitata la combaterea vectorilor patogeni.
 - ii) Utilizarea produselor, metodelor si solutiilor de inlocuire corespunzatoare, inclusiv a strategiilor de gestiune a rezistentei, pentru asigurarea eficientei continue a acestor solutii.
 - iii) Masurile pentru imbunatatirea mijloacelor de asigurare a sanatatii si reducerea riscului de aparitie a bolilor.
 - (b) promovarea de catre Parti, in limita mijloacelor de care dispun, a cercetarii si dezvoltarii in domeniul substantelor chimice si produselor nechimice, a metodelor si solutiilor de inlocuire sigure pentru Partile care folosesc DDT-ul, in functie de situatia acelor tari, in scopul reducerii problemelor de ordin uman si economic produse de o anumita maladie. Factorii care vor fi promovati, pentru studierea solutiilor de inlocuire sau a combinatiilor de



solutii de inlocuire, vor include riscurile pentru sanatatea omului si implicatiile ecologice ale acestor solutii de inlocuire. Solutiile de inlocuire a DDT-ului viabile vor prezenta un risc mai redus pentru sanatatea omului si mediul inconjurator, vor fi potrivite pentru combaterea maladiilor in functie de situatia fiecarei Parti, si vor fi monitorizate.

6. Incepand cu prima reuniune, si ulterior din trei in trei ani cel putin, Conferinta Partilor va evalua, in consultanta cu Organizatia Mondiala a Sanatatii, necesitatea de a utiliza DDT-ul pentru combaterea vectorilor patogeni, pe baza informatiilor stiintifice, tehnice, ecologice si economice disponibile, care includ:
 - (a) Producerea si utilizarea DDT-ului si conditiile enuntate in alineatul 2.
 - (b) Disponibilitatea, siguranta si implementarea solutiilor de inlocuire a DDT; si
 - (c) Progresul realizat in imbunatatirea capacitatilor tarilor de adoptare in siguranta a acestor solutii de inlocuire.
7. O Parte poate, in orice moment, sa se retraga din Registrul DDT printr-o notificare scrisa adresata Secretariatului. Retragerea va intra in vigoare la data specificata in notificare.



Anexa C

PRODUCERE ACCIDENTALA

Partea I: Poluantii organici persistenti supusi cerintelor incluse in Articolul 5

Aceasta anexa se aplica urmatorilor poluanti organici persistenti atunci cand se formeaza si sunt emisi accidental din surse antropice:

Substanta chimica
p-Dioxina-dibenzo-policlorurata si dibenzofurani (PCDD/PCDF) Hexaclorbenzen (HCB) (CAS Nr. 118-74-1) Bifenili policlorurati (PCB)

Partea a II-a: Categoriile de surse

p-Dioxinele-dibenzo-policlorurate si dibenzofurani, hexaclorbenzenul si bifenili policlorurati se formeaza si sunt emisi accidental in urma proceselor termice in care sunt folosite materii organice si clor ca urmare a arderii incomplete sau a reactiilor chimice. Urmatoarele categorii industriale de surse au un potential ridicat de productie si emanare a acestor substante in mediul inconjurator:

- (a) incineratoare de deseuri, inclusiv co-incineratoare de deseuri municipale, periculoase sau medicale sau cele pentru namoluri de canalizare;
- (b) cuptoare de ciment in care sunt arse deseuri periculoase;
- (c) producerea de celuloza prin folosirea clorului elementar sau a substantelor chimice care genereaza clor elementar pentru procesul de inalbire;
- (d) Urmatoarele procese termice din industria metalurgica:
 - (i) Producerea secundara de cupru;
 - (ii) Utilitajele pentru produse sinterizate din industria metalurgica;
 - (iii) Producerea secundara de aluminiu;
 - (iv) Producerea secundara de zinc.

Partea a III-a: Categoriile de surse

p-Dioxinele-dibenzo-policlorurate si dibenzofurani, hexaclorbenzenul si bifenili policlorurati se pot forma si pot fi emanati accidental din urmatoarele categorii de surse, printre care se numara:

- (a) arderea in aer liber a deseurilor, inclusiv arderea gunoaielor depozitate;
- (b) procesele termice din industria metalurgica care nu sunt mentionate in Partea II;
- (c) sursele de ardere din resedinte;
- (d) instalatii de ardere a combustibililor fosili si cazanele industriale;
- (e) instalatii de ardere pentru lemn si alti combustibili de biomasa;



- (f) procese specifice de producere a substantelor chimice in urma carora sunt emanati in mod accidental poluanti organici persistenti, in special producerea de clorfenoli si cloranil;
- (g) crematorii;
- (h) vehicule cu motor, in special cele care functioneaza pe porincipiul arderii benzinei cu plumb;
- (i) distrugerea resturilor animaliere;
- (j) vopsirea textilelor sau a pieilor (cu cloranil) si finisarea (cu extractie alcalina);
- (k) instalatii de distrugere pentru vehiculele care si-au incheiat ciclul de viata;
- (l) incalzirea lenta a cablurilor de cupru;
- (m) rafinarii pentru deseurile de petrol.

Parte a IV-a: Definitii

1. In scopul prezentei Anexa:

- (a) "Bifenilii policlorurati" inseamna compusi aromatici structurati in asa fel incat atomii de hidrogen ai moleculei de bifenil (doua inele de benzen legate de printr-o singura legatura carbon – carbon) sa fie inlocuiti de cel mult zece atomi de clor; si
- (b) "p-Dioxinele-dibenzo-policlorurate " si "dibenzofuranii policlorurati" sunt compusi aromatici triciclici formati din doua inele de benzen legate de doi atomi de oxigen in cazul p-dioxinelor-dibenzo-policlorurate si de un atom de oxigen si o legatura carbon – carbon in cazul dibenzofuranilor policlorurati, a caror atomi de hidrogen ar putea fi inlocuiti de cel mult opt atomi de clor.

2. In aceasta Anexa, toxicitatea p-dioxinelor-dibenzo-policlorurate si a dibenzofuranilor este exprimata prin folosirea conceptului de "*echivalenta toxica*" care masoara activitatea toxica relativa de tipul dioxina a diferitelor combinatii de p-dioxine-dibenzo-policlorurate si dibenzofurani si bifenilii policlorurati coplanar fata de 2,3,7,8-tetraclor-dibenzo-p-dioxina. Valorile factorului de echivalenta toxica care urmeaza sa fie folosit in scopurile prezentei Conventii vor fi in conformitate cu standardele internationale acceptate, incepand cu valorile factorului de echivalenta toxica pentru mamifere, stabilit de catre Organizatia Mondiala a Sanatatii pentru p-dioxinele-dibenzo-policlorurate si dibenzofurani si bifenilii policlorurati coplanar. Concentratiile sunt exprimate in echivalenti toxici.

Partea a V-a : Dispozitii generale privind cele mai bune tehnici disponibile si cele mai bune practici de mediu

Aceasta Parte contine dispozitiile generale adresate Partilor privind prevenirea si reducerea evacuarilor de substante chimice incluse in Partea I.

A. Masuri generale de prevenire referitoare la cele mai bune tehnici disponibile si la cele mai bune practici de mediu



Analiza metodelor de prevenire a producerii si evacuarilor de substante chimice prevazute in Partea I ar trebui considerata prioritara. Masurile utile ar trebui sa includa:

- (a) Utilizarea tehnologiei care produce cantitati reduse de deseuri;
- (b) Utilizarea substantelor cu un grad redus de pericolozitate;
- (c) Promovarea recuperarii si reciclarii deeurilor si substantelor generate (produse) si utilizate in cadrul unui proces;
- (d) Inlocuirea de la sursa a materialelor primare, care sunt poluanti organici persistenti sau acolo unde exista o legatura directa intre materiale si evacuari de poluanti organici persistenti;
- (e) Programe de buna gestiune si intretinere preventiva;
- (f) Imbunatatirea gestionarii deeurilor in scopul incetarii arderilor acestora in aer liber sau sub alte forme necontrolate, inclusiv in depozite de deseuri. Atunci cand se analizeaza propunerile de creare a unor noi instalatii de distrugere a deeurilor, ar trebui sa se tina cont de solutiile de inlocuire precum: activitatile care vizeaza reducerea la minimum a producerii de deseuri municipale si medicale, inclusiv recuperarea resurselor, reutilizarea, reciclarea, separarea deeurilor si promovarea produselor care genereaza mai putine deseuri. In aceasta privinta, ar trebui sa se ia in considerare problemele de sanatate publica ar trebui luate cu atentie in considerare;
- (g) Reducerea la minimum a substantelor chimice care apar drept contaminanti in produse;
- (h) Evitarea clorului elementar, sau a substantelor chimice care genereaza clor elementar, pentru inalbire.

B. Cele mai bune tehnici disponibile

Conceptul de "cele mai bune tehnici disponibile" nu vizeaza prescrierea unei anumite tehnici sau tehnologii, ci ia in considerare caracteristicile tehnice ale intalatiei respective, amplasarea geografica, si conditiile locale de mediu. Tehnicile de control adecvate pentru reducerea evacuarilor de substante chimice enumerate in Partea I sunt in general aceleasi. Pentru determinarea celor mai bune tehnici disponibile, ar trebui sa se acorde o importanta deosebita, atat in general cat si in cazuri specifice, urmatorilor factori, tinand cont de costurile si beneficiile masurii si luarea in considerare a abordarii precaute si preventive:

- (a) Consideratii generale:
 - (i) Natura, efectele si masa evacuarilor respective: tehnicile ar putea varia in functie de dimensiunea sursei;
 - (ii) Datele punerii in functiune a instalatiilor noi sau existente;
 - (iii) Timpul necesar pentru introducerea celor mai bune tehnici disponibile;
 - (iv) Consumul si natura materiilor prime utilizate in procesul respectiv si eficienta energetica a acestui proces;
 - (v) Necesitatea prevenirii sau reducerii la minimum a impactului total al evacuarilor in mediul inconjurator si a riscurilor reprezentate de acestea;



- (vi) Necesitatea prevenirii accidentelor si reducerii la minimum a consecintelor asupra mediului inconjurator;
 - (vii) Necesitatea asigurarii sanatatii si sigurantei la locul de munca;
 - (viii) Procedee, instalatii si metode de utilizare comparabile care au fost testate cu succes la scara industrială;
 - (ix) Progrese tehnologice si evolutia cunostintelor stiintifice.
- (b) Masuri generale de reducere a evacuarilor: atunci cand se analizeaza propunerile pentru crearea unor noi instalatii sau pentru modificarea semnificativa a instalatiilor existente pe baza proceselor in timpul carora se produc evacuări de substante chimice – enumerate in aceasta Anexa, ar trebui sa se acorde prioritate proceselor, tehnicilor sau metodelor de inlocuire care au utilizari similare dar care evita formarea si emanarea acestor substante chimice. In cazurile in care se vor crea sau se vor modifica semnificativ asemenea instalatii, pe langa masurile de prevenire incluse in sectiunea A din Partea V, ar trebui luate in considerare urmatoarele masuri de reducere pentru determinarea celor mai bune tehnici disponibile:
- (i) utilizarea metodelor imbunatatite pentru epurarea gazelor de ardere, cum ar fi oxidarea termica sau catalitica, precipitarea prafului sau adsorbția
 - (ii) tratarea reziduurilor, a apelor uzate, a deșeurilor, a namolurilor provenite de la statiile de epurare a apelor uzate fie prin incinerare fie prin transformarea lor in materii inerte sau prin procedee chimice de detoxifi care;
 - (iii) modificarea proceselor care duc la reducerea sau eliminarea evacuarilor, cum ar fi recurgerea la sisteme inchise;
 - (iv) modificarea proiectelor de procese de imbunatatire a arderilor si prevenirea formarii substantelor chimice enumerate in aceasta Anexa, prin controlul parametrilor precum temperatura de incinerare sau timpul de retentie.

C. Cele mai bune practici de mediu

Conferinta Partilor va putea elabora dispozitii privind cele mai bune practici de mediu.



Anexa D

INFORMATIILE CERUTE SI CRITERIILE DE SELECTIE

1. O Parte care prezinta o propunere de inscriere a unei substante chimice in anexele A, B si/sau C va identifica aceasta substanta in modul prezentat la litera a) si va furniza informatiile referitoare la acesta substanta chimica, iar daca e cazul, referitoare la asupra produsele de transformare, care au legatura cu criteriile de selectie enuntate la literele b) – e):

a) Identitatea substantei:

i) Denumiri comerciale, denumiri de marca si sinonime, numarul de inregistrare CAS al serviciului de rezumate analitice chimice (Chemical Abstract Service), denumirea data de Uniunea Internationala de Chimie Pura si Aplicata (IUPAC); si

ii) Structura, inclusiv specificarea izomerilor, daca e cazul, si structura clasei chimice;

b) Persistenta:

i) Dovezi care sa arate ca jumatatea perioadei de viata a substantei este mai mare de doua luni in apa, sau este mai mare de sase luni in soluri sau in sedimente;

ii) Dovezi care sa arate ca substanta este suficient de persistenta pentru a justifica examinarea in cadrul prezentei Conventii;

c) Bio-acumulare:

i) Dovezi care sa arate ca factorul de bioconcentrare sau factorul de bioacumulare care corespunde substantei in speciile acvatice este mai mare de 5000 sau; in absenta datelor despre acesti factori, dovezile trebuie sa arate ca logaritmul coeficientului de partiție octanol-apa ($\log K_{ow}$) este mai mare de 5;

ii) Dovezi care sa arate ca exista si alte motive de preocupare in legatura cu substanta respectiva, cum ar fi o bioacumulare ridicata in alte specii, o toxicitate sau o ecotoxicitate ridicata; sau

iii) Date de monitorizare in biota care sa indice ca potentialul de bioacumulare a substantei este suficient pentru a justifica examinarea in cadrul prezentei Conventii;

d) Potentialul de propagare pe lunga distanta in mediul inconjurator

i) Concentratiile de substanta masurate in locuri indepartate de sursele de emisie sunt un posibil motiv de preocupare.

ii) Datele de monitorizare care arata ca propagarea pe lunga distanta a substantei cu un potential de transfer intr-un mediu receptor e posibil sa se fi produs pe calea aerului, apei sau prin specii migratoare, sau

iii) Proprietatile substantei din punctul de vedere al evolutiei sale in mediul inconjurator si/sau rezultatele - modele care arata ca substanta se poate propaga pe



distanța lungă în mediul înconjurător pe calea aerului, a apei sau prin speciile migratoare, și poate ajunge într-un mediu receptor în locuri îndepărtate de sursele de emisie. În cazul unei substanțe a cărei propagare atmosferică este semnificativă, timpul de înjumătățire în aer ar trebui să fie mai mare de două zile; și

e) Efecte nocive:

- i) Dovezi ale efectelor nocive asupra sănătății omului și a mediului înconjurător care să justifice luarea în considerare a substanței în cadrul prezentei Convenții sau
- ii) Date de toxicitate sau de ecotoxicitate care să indice potențialul substanței de a provoca daune sănătății omului sau mediului înconjurător;

- 3. Partea care prezintă propunerea va pune la dispoziție o declarație în care va expune motivele de îngrijorare inclusiv, dacă e posibil, o comparație a datelor de toxicitate sau de ecotoxicitate cu nivelele de concentrație detectate sau prezise ale substanței chimice rezultate sau anticipate din propagarea pe distanță lungă în mediul înconjurător, și o scurtă declarație care să indice necesitatea unui control la nivel mondial (global).
- 4. Partea care prezintă propunerea, în măsura în care acest lucru este posibil și ținând cont de capacitățile sale, va furniza informații suplimentare în vederea sprijinirii examinării propunerii menționate în alineatul 6, articolul 8. Pentru elaborarea unei asemenea propuneri, o Parte poate apela la competențele tehnice ale oricărei surse.



Anexa E

INFORMATII NECESARE PENTRU REALIZAREA PROFILULUI DE RISC

Scopul examinarii este sa determine daca substanta, din cauza propagarii sale pe distanta lunga in mediul inconjurator poate avea efecte nocive importante asupra sanatatii omului si/sau a mediului inconjurator, care sa justifice adoptarea masurilor la nivel international. In acest scop se va elabora un profil de risc care va completa si va evalua informatiile vizate in Anexa D si care va contine, pe cat posibil, urmatoarele tipuri de informatii:

a) Sursele, inclusiv, daca e cazul, informatii referitoare la:

i) producerea, inclusiv cantitatea si locul;

ii) utilizari; si

iii) degajari, precum descarcari, pierderi si emisii.

b) Evaluarea pericolului la sfarsitul sau inceputul producerii unei daune: inclusiv studiul interactiunilor toxicologice in care sunt implicate mai multe substante;

c) Evolutia in mediul inconjurator, inclusiv datele si informatiile referitoare la proprietatile chimice si fizice ale substantei, persistenta sa si legaturile cu propagarea in mediul inconjurator, transferul in interiorul sau intre diversele compartimente de mediu, precum si informatii referitoare la degradarea si transformarea substantei in alte tipuri de substante. Se va pune la dispozitie determinarea factorului de bioconcentrare sau a factorului de bioacumulare, pe baza valorilor masurate, cu exceptia cazului in care se considera ca datele de monitorizare raspund acestei necesitati;

d) Date de monitorizare;

e) Expunerea pe arii locale, si in special ca rezultat al propagarii pe distanta lunga in mediul inconjurator, si in special informatii privind biodisponibilitatea;

f) Evaluari nationale si internationale a riscurilor, profile de risc, informatii referitoare la etichetare si clasificarea pericolului, in masura in care aceste informatii sunt disponibile si;

g) Statutul atribuit substantei in conventii internationale.



Anexa F

INFORMATII REFERITOARE LA EFECTELE SOCIO-ECONOMICE

Ar trebui sa se realizeze o evaluare a eventualelor masuri de control a substantelor chimice care sunt luate in considerare pentru includere in prezenta Conventie, tinand cont de toate posibilitatile, inclusiv de gestiune si de eliminare. In acest scop, ar trebui furnizate informatii relevante referitoare la consideratiile socio-economice asociate cu posibile masuri de control pentru a permite Conferintei Partilor sa ia o hotarare. Aceste informatii ar trebui sa tina cont in mod obligatoriu de capacitatile si situatiile diferite ale Partilor, si ar trebui sa includa examinarea elementelor enumerate in lista de mai jos:

a) Eficacitatea si eficienta masurilor de control in realizarea obiectivului de reducere a riscurilor:

i) Fezabilitate tehnica; si

ii) Costuri, inclusiv costurile pentru mediu si sanatate;

b) Alte solutii (produse si procese):

i) Fezabilitate tehnica;

ii) Costuri, inclusiv costurile pentru mediu si sanatate;

iii) Eficacitate;

iv) Risc;

v) Disponibilitate si

vi) Accesibilitate;

c) Impactele pozitive si/sau negative asupra societatii prin aplicarea eventualelor masuri de control;

i) Sanatate, inclusiv sanatatea publica, a mediului si sanatatea profesionala;

ii) Agricultura, inclusiv acvacultura si silvicultura;

iii) Biota (biodiversitate);

iv) Aspecte economice;

v) Evolutia catre o dezvoltare durabila; si

vi) Costuri sociale;



d) Implicatiile deseurilor si a eliminarii acestora (in special a stocurilor expirate de pesticide si decontaminarea suprafetelor contaminate);

i) Fezabilitate tehnica; si

ii) Costuri;

e) Accesul la informatii si educarea publicului;

f) Situatia capacitatii de control si monitorizare; si

g) Orice actiune de control luata la nivel national sau regional, inclusiv informatiile asupra solutiilor alternative si alte informatii relevante referitoare la managementul riscului.

"Traducere oficiala/ autorizata din limba engleza/franceza"

CONVENTIA DE LA STOCKHOLM PRIVIND POLUANTII ORGANICI
PERSISTENTI

Director

CORNEL FLOREA GABRIAN

DIRECTIA DE CONTROL ECOLOGIC SI MONITORING



STOCKHOLM CONVENTION ON PERSISTENT ORGANIC POLLUTANTS

The Parties to this Convention,

Recognizing that persistent organic pollutants possess toxic properties, resist degradation, bioaccumulate and are transported, through air, water and migratory species, across international boundaries and deposited far from their place of release, where they accumulate in terrestrial and aquatic ecosystems,

Aware of the health concerns, especially in developing countries, resulting from local exposure to persistent organic pollutants, in particular impacts upon women and, through them, upon future generations,

Acknowledging that the Arctic ecosystems and indigenous communities are particularly at risk because of the biomagnification of persistent organic pollutants and that contamination of their traditional foods is a public health issue,

Conscious of the need for global action on persistent organic pollutants,

Mindful of decision 19/13 C of 7 February 1997 of the Governing Council of the United Nations Environment Programme to initiate international action to protect human health and the environment through measures which will reduce and/or eliminate emissions and discharges of persistent organic pollutants,

Recalling the pertinent provisions of the relevant international environmental conventions, especially the Rotterdam Convention on the Prior Informed Consent Procedure for Certain Hazardous Chemicals and Pesticides in International Trade, and the Basel Convention on the Control of Transboundary Movements of Hazardous Wastes and their Disposal including the regional agreements developed within the framework of its Article 11,

Recalling also the pertinent provisions of the Rio Declaration on Environment and Development and Agenda 21,

Acknowledging that precaution underlies the concerns of all the Parties and is embedded within this Convention,

Recognizing that this Convention and other international agreements in the field of trade and the environment are mutually supportive,

Reaffirming that States have, in accordance with the Charter of the United Nations and the principles of international law, the sovereign right to exploit their own resources pursuant to their own environmental and developmental policies, and the responsibility to ensure that activities within their jurisdiction or control do not cause damage to the environment of other States or of areas beyond the limits of national jurisdiction,

Taking into account the circumstances and particular requirements of developing countries, in particular the least developed among them, and countries with economies in transition, especially the need to strengthen their national capabilities for the management of chemicals, including through the transfer of technology, the provision of financial and technical assistance and the promotion of cooperation among the Parties,

Taking full account of the Programme of Action for the Sustainable Development of Small Island Developing States, adopted in Barbados on 6 May 1994,

Noting the respective capabilities of developed and developing countries, as well as the common but differentiated responsibilities of States as set forth in Principle 7 of the Rio Declaration on Environment and Development,

Recognizing the important contribution that the private sector and non-governmental organizations can make to achieving the reduction and/or elimination of emissions and discharges of persistent organic pollutants,

Underlining the importance of manufacturers of persistent organic pollutants taking responsibility for reducing adverse effects caused by their products and for providing information to users, Governments and the public on the hazardous properties of those chemicals,

Conscious of the need to take measures to prevent adverse effects caused by persistent organic pollutants at all stages of their life cycle,

Reaffirming Principle 16 of the Rio Declaration on Environment and Development which states that national authorities should endeavour to promote the internalization of environmental costs and the use of economic instruments, taking into account the approach that the polluter should, in principle, bear the cost of pollution, with due regard to the public interest and without distorting international trade and investment,

Encouraging Parties not having regulatory and assessment schemes for pesticides and industrial chemicals to develop such schemes,

Recognizing the importance of developing and using environmentally sound alternative processes and chemicals,

Determined to protect human health and the environment from the harmful impacts of persistent organic pollutants,

Have agreed as follows:

Article 1

Objective

Mindful of the precautionary approach as set forth in Principle 15 of the Rio Declaration on Environment and Development, the objective of this Convention is to protect human health and the environment from persistent organic pollutants.

Article 2

Definitions

For the purposes of this Convention:

(a) "Party" means a State or regional economic integration organization that has consented to be bound by this Convention and for which the Convention is in force;

(b) "Regional economic integration organization" means an organization constituted by sovereign States of a given region to which its member States have transferred competence in respect of matters governed by this Convention and which has been duly authorized, in accordance with its internal procedures, to sign, ratify, accept, approve or accede to this Convention;

(c) "Parties present and voting" means Parties present and casting an affirmative or negative vote.

Article 3

Measures to reduce or eliminate releases from intentional production and use

1. Each Party shall:

- (a) Prohibit and/or take the legal and administrative measures necessary to eliminate:
 - (i) Its production and use of the chemicals listed in Annex A subject to the provisions of that Annex; and
 - (ii) Its import and export of the chemicals listed in Annex A in accordance with the provisions of paragraph 2; and
- (b) Restrict its production and use of the chemicals listed in Annex B in accordance with the provisions of that Annex.

2. Each Party shall take measures to ensure:

- (a) That a chemical listed in Annex A or Annex B is imported only:
 - (i) For the purpose of environmentally sound disposal as set forth in paragraph 1 (d) of Article 6; or
 - (ii) For a use or purpose which is permitted for that Party under Annex A or Annex B;
- (b) That a chemical listed in Annex A for which any production or use specific exemption is in effect or a chemical listed in Annex B for which any production or use specific exemption or acceptable purpose is in effect, taking into account any relevant provisions in existing international prior informed consent instruments, is exported only:
 - (i) For the purpose of environmentally sound disposal as set forth in paragraph 1 (d) of Article 6;
 - (ii) To a Party which is permitted to use that chemical under Annex A or Annex B; or
 - (iii) To a State not Party to this Convention which has provided an annual certification to the exporting Party. Such certification shall specify the intended use of the chemical and include a statement that, with respect to that chemical, the importing State is committed to:
 - a. Protect human health and the environment by taking the necessary measures to minimize or prevent releases;
 - b. Comply with the provisions of paragraph 1 of Article 6; and
 - c. Comply, where appropriate, with the provisions of paragraph 2 of Part II of Annex B.

The certification shall also include any appropriate supporting documentation, such as legislation, regulatory instruments, or administrative or policy guidelines. The exporting Party shall transmit the certification to the Secretariat within sixty days of receipt.

- (c) That a chemical listed in Annex A, for which production and use specific exemptions are no longer in effect for any Party, is not exported from it except for the purpose of environmentally sound disposal as set forth in paragraph 1 (d) of Article 6;

(d) For the purposes of this paragraph, the term "State not Party to this Convention" shall include, with respect to a particular chemical, a State or regional economic integration organization that has not agreed to be bound by the Convention with respect to that chemical.

3. Each Party that has one or more regulatory and assessment schemes for new pesticides or new industrial chemicals shall take measures to regulate with the aim of preventing the production and use of new pesticides or new industrial chemicals which, taking into consideration the criteria in paragraph 1 of Annex D, exhibit the characteristics of persistent organic pollutants.
4. Each Party that has one or more regulatory and assessment schemes for pesticides or industrial chemicals shall, where appropriate, take into consideration within these schemes the criteria in paragraph 1 of Annex D when conducting assessments of pesticides or industrial chemicals currently in use.
5. Except as otherwise provided in this Convention, paragraphs 1 and 2 shall not apply to quantities of a chemical to be used for laboratory-scale research or as a reference standard.
6. Any Party that has a specific exemption in accordance with Annex A or a specific exemption or an acceptable purpose in accordance with Annex B shall take appropriate measures to ensure that any production or use under such exemption or purpose is carried out in a manner that prevents or minimizes human exposure and release into the environment. For exempted uses or acceptable purposes that involve intentional release into the environment under conditions of normal use, such release shall be to the minimum extent necessary, taking into account any applicable standards and guidelines.

Article 4

Register of specific exemptions

1. A Register is hereby established for the purpose of identifying the Parties that have specific exemptions listed in Annex A or Annex B. It shall not identify Parties that make use of the provisions in Annex A or Annex B that may be exercised by all Parties. The Register shall be maintained by the Secretariat and shall be available to the public.
2. The Register shall include:
 - (a) A list of the types of specific exemptions reproduced from Annex A and Annex B;
 - (b) A list of the Parties that have a specific exemption listed under Annex A or Annex B; and
 - (c) A list of the expiry dates for each registered specific exemption.
3. Any State may, on becoming a Party, by means of a notification in writing to the Secretariat, register for one or more types of specific exemptions listed in Annex A or Annex B.
4. Unless an earlier date is indicated in the Register by a Party, or an extension is granted pursuant to paragraph 7, all registrations of specific exemptions shall expire five years after the date of entry into force of this Convention with respect to a particular chemical.
5. At its first meeting, the Conference of the Parties shall decide upon its review process for the entries in the Register.
6. Prior to a review of an entry in the Register, the Party concerned shall submit a report to the Secretariat justifying its continuing need for registration of that exemption. The report shall be circulated by the Secretariat to all Parties. The review of a registration shall be carried out on the basis of all available information. Thereupon, the Conference of the Parties may make such recommendations to the Party concerned as it deems appropriate.

7. The Conference of the Parties may, upon request from the Party concerned, decide to extend the expiry date of a specific exemption for a period of up to five years. In making its decision, the Conference of the Parties shall take due account of the special circumstances of the developing country Parties and Parties with economies in transition.

8. A Party may, at any time, withdraw an entry from the Register for a specific exemption upon written notification to the Secretariat. The withdrawal shall take effect on the date specified in the notification.

9. When there are no longer any Parties registered for a particular type of specific exemption, no new registrations may be made with respect to it.

Article 5

Measures to reduce or eliminate releases from unintentional production

Each Party shall at a minimum take the following measures to reduce the total releases derived from anthropogenic sources of each of the chemicals listed in Annex C, with the goal of their continuing minimization and, where feasible, ultimate elimination:

(a) Develop an action plan or, where appropriate, a regional or subregional action plan within two years of the date of entry into force of this Convention for it, and subsequently implement it as part of its implementation plan specified in Article 7, designed to identify, characterize and address the release of the chemicals listed in Annex C and to facilitate implementation of subparagraphs (b) to (e). The action plan shall include the following elements:

- (i) An evaluation of current and projected releases, including the development and maintenance of source inventories and release estimates, taking into consideration the source categories identified in Annex C;
- (ii) An evaluation of the efficacy of the laws and policies of the Party relating to the management of such releases;
- (iii) Strategies to meet the obligations of this paragraph, taking into account the evaluations in (i) and (ii);
- (iv) Steps to promote education and training with regard to, and awareness of, those strategies;
- (v) A review every five years of those strategies and of their success in meeting the obligations of this paragraph; such reviews shall be included in reports submitted pursuant to Article 15;
- (vi) A schedule for implementation of the action plan, including for the strategies and measures identified therein;

(b) Promote the application of available, feasible and practical measures that can expeditiously achieve a realistic and meaningful level of release reduction or source elimination;

(c) Promote the development and, where it deems appropriate, require the use of substitute or modified materials, products and processes to prevent the formation and release of the chemicals listed in Annex C, taking into consideration the general guidance on prevention and release reduction measures in Annex C and guidelines to be adopted by decision of the Conference of the Parties;

(d) Promote and, in accordance with the implementation schedule of its action plan, require the use of best available techniques for new sources within source categories which a Party has identified as warranting such action in its action plan, with a particular initial focus on source categories identified in Part II of Annex C. In any case, the requirement to use best available techniques for new sources in the categories listed in Part II of that Annex shall be phased in as soon as practicable but no later than four years after the entry into force of the Convention for that Party. For the identified categories, Parties shall promote the use of best environmental practices. When applying best available techniques and best environmental practices, Parties should take into consideration the general guidance on prevention and release reduction measures in that Annex and guidelines on best available techniques and best environmental practices to be adopted by decision of the Conference of the Parties;

(e) Promote, in accordance with its action plan, the use of best available techniques and best environmental practices:

- (i) For existing sources, within the source categories listed in Part II of Annex C and within source categories such as those in Part III of that Annex; and
- (ii) For new sources, within source categories such as those listed in Part III of Annex C which a Party has not addressed under subparagraph (d).

When applying best available techniques and best environmental practices, Parties should take into consideration the general guidance on prevention and release reduction measures in Annex C and guidelines on best available techniques and best environmental practices to be adopted by decision of the Conference of the Parties;

(f) For the purposes of this paragraph and Annex C:

- (i) "Best available techniques" means the most effective and advanced stage in the development of activities and their methods of operation which indicate the practical suitability of particular techniques for providing in principle the basis for release limitations designed to prevent and, where that is not practicable, generally to reduce releases of chemicals listed in Part I of Annex C and their impact on the environment as a whole. In this regard:
- (ii) "Techniques" includes both the technology used and the way in which the installation is designed, built, maintained, operated and decommissioned;
- (iii) "Available" techniques means those techniques that are accessible to the operator and that are developed on a scale that allows implementation in the relevant industrial sector, under economically and technically viable conditions, taking into consideration the costs and advantages; and
- (iv) "Best" means most effective in achieving a high general level of protection of the environment as a whole;
- (v) "Best environmental practices" means the application of the most appropriate combination of environmental control measures and strategies;
- (vi) "New source" means any source of which the construction or substantial modification is commenced at least one year after the date of:
 - a. Entry into force of this Convention for the Party concerned; or
 - b. Entry into force for the Party concerned of an amendment to Annex C where the source becomes subject to the provisions of this Convention only by virtue of that amendment.

(g) Release limit values or performance standards may be used by a Party to fulfill its commitments for best available techniques under this paragraph.

Article 6

Measures to reduce or eliminate releases from stockpiles and wastes

1. In order to ensure that stockpiles consisting of or containing chemicals listed either in Annex A or Annex B and wastes, including products and articles upon becoming wastes, consisting of, containing or contaminated with a chemical listed in Annex A, B or C, are managed in a manner protective of human health and the environment, each Party shall:

- (a) Develop appropriate strategies for identifying:
 - (i) Stockpiles consisting of or containing chemicals listed either in Annex A or Annex B; and
 - (ii) Products and articles in use and wastes consisting of, containing or contaminated with a chemical listed in Annex A, B or C;
- (b) Identify, to the extent practicable, stockpiles consisting of or containing chemicals listed either in Annex A or Annex B on the basis of the strategies referred to in subparagraph (a);
- (c) Manage stockpiles, as appropriate, in a safe, efficient and environmentally sound manner. Stockpiles of chemicals listed either in Annex A or Annex B, after they are no longer allowed to be used according to any specific exemption specified in Annex A or any specific exemption or acceptable purpose specified in Annex B, except stockpiles which are allowed to be exported according to paragraph 2 of Article 3, shall be deemed to be waste and shall be managed in accordance with subparagraph (d);
- (d) Take appropriate measures so that such wastes, including products and articles upon becoming wastes, are:
 - (i) Handled, collected, transported and stored in an environmentally sound manner;
 - (ii) Disposed of in such a way that the persistent organic pollutant content is destroyed or irreversibly transformed so that they do not exhibit the characteristics of persistent organic pollutants or otherwise disposed of in an environmentally sound manner when destruction or irreversible transformation does not represent the environmentally preferable option or the persistent organic pollutant content is low, taking into account international rules, standards, and guidelines, including those that may be developed pursuant to paragraph 2, and relevant global and regional regimes governing the management of hazardous wastes;
 - (iii) Not permitted to be subjected to disposal operations that may lead to recovery, recycling, reclamation, direct reuse or alternative uses of persistent organic pollutants; and
 - (iv) Not transported across international boundaries without taking into account relevant international rules, standards and guidelines;
- (e) Endeavour to develop appropriate strategies for identifying sites contaminated by chemicals listed in Annex A, B or C; if remediation of those sites is undertaken it shall be performed in an environmentally sound manner.

2. The Conference of the Parties shall cooperate closely with the appropriate bodies of the Basel Convention on the Control of Transboundary Movements of Hazardous Wastes and their Disposal to, inter alia:

- (a) Establish levels of destruction and irreversible transformation necessary to ensure that the characteristics of persistent organic pollutants as specified in paragraph 1 of Annex D are not exhibited;
- (b) Determine what they consider to be the methods that constitute environmentally sound disposal referred to above; and
- (c) Work to establish, as appropriate, the concentration levels of the chemicals listed in Annexes A, B and C in order to define the low persistent organic pollutant content referred to in paragraph 1 (d)(ii).

Article 7

Implementation plans

1. Each Party shall:

- (a) Develop and endeavour to implement a plan for the implementation of its obligations under this Convention;
- (b) Transmit its implementation plan to the Conference of the Parties within two years of the date on which this Convention enters into force for it; and
- (c) Review and update, as appropriate, its implementation plan on a periodic basis and in a manner to be specified by a decision of the Conference of the Parties.

2. The Parties shall, where appropriate, cooperate directly or through global, regional and subregional organizations, and consult their national stakeholders, including women's groups and groups involved in the health of children, in order to facilitate the development, implementation and updating of their implementation plans.

3. The Parties shall endeavour to utilize and, where necessary, establish the means to integrate national implementation plans for persistent organic pollutants in their sustainable development strategies where appropriate.

Article 8

Listing of chemicals in Annexes A, B and C

1. A Party may submit a proposal to the Secretariat for listing a chemical in Annexes A, B and/or C. The proposal shall contain the information specified in Annex D. In developing a proposal, a Party may be assisted by other Parties and/or by the Secretariat.

2. The Secretariat shall verify whether the proposal contains the information specified in Annex D. If the Secretariat is satisfied that the proposal contains the information so specified, it shall forward the proposal to the Persistent Organic Pollutants Review Committee.

3. The Committee shall examine the proposal and apply the screening criteria specified in Annex D in a flexible and transparent way, taking all information provided into account in an integrative and balanced manner.

4. If the Committee decides that:

(a) It is satisfied that the screening criteria have been fulfilled, it shall, through the Secretariat, make the proposal and the evaluation of the Committee available to all Parties and observers and invite them to submit the information specified in Annex E; or

(b) It is not satisfied that the screening criteria have been fulfilled, it shall, through the Secretariat, inform all Parties and observers and make the proposal and the evaluation of the Committee available to all Parties and the proposal shall be set aside.

5. Any Party may resubmit a proposal to the Committee that has been set aside by the Committee pursuant to paragraph 4. The resubmission may include any concerns of the Party as well as a justification for additional consideration by the Committee. If, following this procedure, the Committee again sets the proposal aside, the Party may challenge the decision of the Committee and the Conference of the Parties shall consider the matter at its next session. The Conference of the Parties may decide, based on the screening criteria in Annex D and taking into account the evaluation of the Committee and any additional information provided by any Party or observer, that the proposal should proceed.

6. Where the Committee has decided that the screening criteria have been fulfilled, or the Conference of the Parties has decided that the proposal should proceed, the Committee shall further review the proposal, taking into account any relevant additional information received, and shall prepare a draft risk profile in accordance with Annex E. It shall, through the Secretariat, make that draft available to all Parties and observers, collect technical comments from them and, taking those comments into account, complete the risk profile.

7. If, on the basis of the risk profile conducted in accordance with Annex E, the Committee decides:

(a) That the chemical is likely as a result of its long-range environmental transport to lead to significant adverse human health and/or environmental effects such that global action is warranted, the proposal shall proceed. Lack of full scientific certainty shall not prevent the proposal from proceeding. The Committee shall, through the Secretariat, invite information from all Parties and observers relating to the considerations specified in Annex F. It shall then prepare a risk management evaluation that includes an analysis of possible control measures for the chemical in accordance with that Annex; or

(b) That the proposal should not proceed, it shall, through the Secretariat, make the risk profile available to all Parties and observers and set the proposal aside.

8. For any proposal set aside pursuant to paragraph 7 (b), a Party may request the Conference of the Parties to consider instructing the Committee to invite additional information from the proposing Party and other Parties during a period not to exceed one year. After that period and on the basis of any information received, the Committee shall reconsider the proposal pursuant to paragraph 6 with a priority to be decided by the Conference of the Parties. If, following this procedure, the Committee again sets the proposal aside, the Party may challenge the decision of the Committee and the Conference of the Parties shall consider the matter at its next session. The Conference of the Parties may decide, based on the risk profile prepared in accordance with Annex E and taking into account the evaluation of the Committee and any additional information provided by any Party or observer, that the proposal should proceed. If the Conference of the Parties decides that the proposal shall proceed, the Committee shall then prepare the risk management evaluation.

9. The Committee shall, based on the risk profile referred to in paragraph 6 and the risk management evaluation referred to in paragraph 7 (a) or paragraph 8, recommend whether the 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.

Article 9

Information exchange

1. Each Party shall facilitate or undertake the exchange of information relevant to:
 - (a) The reduction or elimination of the production, use and release of persistent organic pollutants; and
 - (b) Alternatives to persistent organic pollutants, including information relating to their risks as well as to their economic and social costs.
2. The Parties shall exchange the information referred to in paragraph 1 directly or through the Secretariat.
3. Each Party shall designate a national focal point for the exchange of such information.
4. The Secretariat shall serve as a clearing-house mechanism for information on persistent organic pollutants, including information provided by Parties, intergovernmental organizations and non-governmental organizations.
5. For the purposes of this Convention, information on health and safety of humans and the environment shall not be regarded as confidential. Parties that exchange other information pursuant to this Convention shall protect any confidential information as mutually agreed.

Article 10

Public information, awareness and education

1. Each Party shall, within its capabilities, promote and facilitate:
 - (a) Awareness among its policy and decision makers with regard to persistent organic pollutants;
 - (b) Provision to the public of all available information on persistent organic pollutants, taking into account paragraph 5 of Article 9;
 - (c) Development and implementation, especially for women, children and the least educated, of educational and public awareness programmes on persistent organic pollutants, as well as on their health and environmental effects and on their alternatives;
 - (d) Public participation in addressing persistent organic pollutants and their health and environmental effects and in developing adequate responses, including opportunities for providing input at the national level regarding implementation of this Convention;
 - (e) Training of workers, scientists, educators and technical and managerial personnel;
 - (f) Development and exchange of educational and public awareness materials at the national and international levels; and
 - (g) Development and implementation of education and training programmes at the national and international levels.
2. Each Party shall, within its capabilities, ensure that the public has access to the public information referred to in paragraph 1 and that the information is kept up-to-date.

3. Each Party shall, within its capabilities, encourage industry and professional users to promote and facilitate the provision of the information referred to in paragraph 1 at the national level and, as appropriate, subregional, regional and global levels.
4. In providing information on persistent organic pollutants and their alternatives, Parties may use safety data sheets, reports, mass media and other means of communication, and may establish information centres at national and regional levels.
5. Each Party shall give sympathetic consideration to developing mechanisms, such as pollutant release and transfer registers, for the collection and dissemination of information on estimates of the annual quantities of the chemicals listed in Annex A, B or C that are released or disposed of.

Article 11

Research, development and monitoring

1. The Parties shall, within their capabilities, at the national and international levels, encourage and/or undertake appropriate research, development, monitoring and cooperation pertaining to persistent organic pollutants and, where relevant, to their alternatives and to candidate persistent organic pollutants, including on their:
 - (a) Sources and releases into the environment;
 - (b) Presence, levels and trends in humans and the environment;
 - (c) Environmental transport, fate and transformation;
 - (d) Effects on human health and the environment;
 - (e) Socio-economic and cultural impacts;
 - (f) Release reduction and/or elimination; and
 - (g) Harmonized methodologies for making inventories of generating sources and analytical techniques for the measurement of releases.
2. In undertaking action under paragraph 1, the Parties shall, within their capabilities:
 - (a) Support and further develop, as appropriate, international programmes, networks and organizations aimed at defining, conducting, assessing and financing research, data collection and monitoring, taking into account the need to minimize duplication of effort;
 - (b) Support national and international efforts to strengthen national scientific and technical research capabilities, particularly in developing countries and countries with economies in transition, and to promote access to, and the exchange of, data and analyses;
 - (c) Take into account the concerns and needs, particularly in the field of financial and technical resources, of developing countries and countries with economies in transition and cooperate in improving their capability to participate in the efforts referred to in subparagraphs (a) and (b);
 - (d) Undertake research work geared towards alleviating the effects of persistent organic pollutants on reproductive health;
 - (e) Make the results of their research, development and monitoring activities referred to in this paragraph accessible to the public on a timely and regular basis; and

(f) Encourage and/or undertake cooperation with regard to storage and maintenance of information generated from research, development and monitoring.

Article 12

Technical assistance

1. The Parties recognize that rendering of timely and appropriate technical assistance in response to requests from developing country Parties and Parties with economies in transition is essential to the successful implementation of this Convention.
2. The Parties shall cooperate to provide timely and appropriate technical assistance to developing country Parties and Parties with economies in transition, to assist them, taking into account their particular needs, to develop and strengthen their capacity to implement their obligations under this Convention.
3. In this regard, technical assistance to be provided by developed country Parties, and other Parties in accordance with their capabilities, shall include, as appropriate and as mutually agreed, technical assistance for capacity-building relating to implementation of the obligations under this Convention. Further guidance in this regard shall be provided by the Conference of the Parties.
4. The Parties shall establish, as appropriate, arrangements for the purpose of providing technical assistance and promoting the transfer of technology to developing country Parties and Parties with economies in transition relating to the implementation of this Convention. These arrangements shall include regional and subregional centres for capacity-building and transfer of technology to assist developing country Parties and Parties with economies in transition to fulfil their obligations under this Convention. Further guidance in this regard shall be provided by the Conference of the Parties.
5. The Parties shall, in the context of this Article, take full account of the specific needs and special situation of least developed countries and small island developing states in their actions with regard to technical assistance.

Article 13

Financial resources and mechanisms

1. Each Party undertakes to provide, within its capabilities, financial support and incentives in respect of those national activities that are intended to achieve the objective of this Convention in accordance with its national plans, priorities and programmes.
2. The developed country Parties shall provide new and additional financial resources to enable developing country Parties and Parties with economies in transition to meet the agreed full incremental costs of implementing measures which fulfill their obligations under this Convention as agreed between a recipient Party and an entity participating in the mechanism described in paragraph 6. Other Parties may also on a voluntary basis and in accordance with their capabilities provide such financial resources. Contributions from other sources should also be encouraged. The implementation of these commitments shall take into account the need for adequacy, predictability, the timely flow of funds and the importance of burden sharing among the contributing Parties.
3. Developed country Parties, and other Parties in accordance with their capabilities and in accordance with their national plans, priorities and programmes, may also provide and developing country Parties and Parties with economies in transition avail themselves of financial resources to assist in their implementation of this Convention through other bilateral, regional and multilateral sources or channels.
4. The extent to which the developing country Parties will effectively implement their commitments under this Convention will depend on the effective implementation by developed country Parties of their commitments under this Convention relating to financial resources, technical assistance and technology

transfer. The fact that sustainable economic and social development and eradication of poverty are the first and overriding priorities of the developing country Parties will be taken fully into account, giving due consideration to the need for the protection of human health and the environment.

5. The Parties shall take full account of the specific needs and special situation of the least developed countries and the small island developing states in their actions with regard to funding.

6. A mechanism for the provision of adequate and sustainable financial resources to developing country Parties and Parties with economies in transition on a grant or concessional basis to assist in their implementation of the Convention is hereby defined. The mechanism shall function under the authority, as appropriate, and guidance of, and be accountable to the Conference of the Parties for the purposes of this Convention. Its operation shall be entrusted to one or more entities, including existing international entities, as may be decided upon by the Conference of the Parties. The mechanism may also include other entities providing multilateral, regional and bilateral financial and technical assistance. Contributions to the mechanism shall be additional to other financial transfers to developing country Parties and Parties with economies in transition as reflected in, and in accordance with, paragraph 2.

7. Pursuant to the objectives of this Convention and paragraph 6, the Conference of the Parties shall at its first meeting adopt appropriate guidance to be provided to the mechanism and shall agree with the entity or entities participating in the financial mechanism upon arrangements to give effect thereto. The guidance shall address, inter alia:

(a) The determination of the policy, strategy and programme priorities, as well as clear and detailed criteria and guidelines regarding eligibility for access to and utilization of financial resources including monitoring and evaluation on a regular basis of such utilization;

(b) The provision by the entity or entities of regular reports to the Conference of the Parties on adequacy and sustainability of funding for activities relevant to the implementation of this Convention;

(c) The promotion of multiple-source funding approaches, mechanisms and arrangements;

(d) The modalities for the determination in a predictable and identifiable manner of the amount of funding necessary and available for the implementation of this Convention, keeping in mind that the phasing out of persistent organic pollutants might require sustained funding, and the conditions under which that amount shall be periodically reviewed; and

(e) The modalities for the provision to interested Parties of assistance with needs assessment, information on available sources of funds and on funding patterns in order to facilitate coordination among them.

8. The Conference of the Parties shall review, not later than its second meeting and thereafter on a regular basis, the effectiveness of the mechanism established under this Article, its ability to address the changing needs of the developing country Parties and Parties with economies in transition, the criteria and guidance referred to in paragraph 7, the level of funding as well as the effectiveness of the performance of the institutional entities entrusted to operate the financial mechanism. It shall, based on such review, take appropriate action, if necessary, to improve the effectiveness of the mechanism, including by means of recommendations and guidance on measures to ensure adequate and sustainable funding to meet the needs of the Parties.

Article 14

Interim financial arrangements

The institutional structure of the Global Environment Facility, operated in accordance with the Instrument for the Establishment of the Restructured Global Environment Facility, shall, on an interim basis, be the principal entity entrusted with the operations of the financial mechanism referred to in Article 13, for the period between the date of entry into force of this Convention and the first meeting of the Conference of the Parties, or until such time as the Conference of the Parties decides which institutional structure will be designated in accordance with Article 13. The institutional structure of the Global Environment Facility should fulfill this function through operational measures related specifically to persistent organic pollutants taking into account that new arrangements for this area may be needed.

Article 15

Reporting

1. Each Party shall report to the Conference of the Parties on the measures it has taken to implement the provisions of this Convention and on the effectiveness of such measures in meeting the objectives of the Convention.
2. Each Party shall provide to the Secretariat:
 - (a) Statistical data on its total quantities of production, import and export of each of the chemicals listed in Annex A and Annex B or a reasonable estimate of such data; and
 - (b) To the extent practicable, a list of the States from which it has imported each such substance and the States to which it has exported each such substance.
3. Such reporting shall be at periodic intervals and in a format to be decided by the Conference of the Parties at its first meeting.

Article 16

Effectiveness evaluation.

1. Commencing four years after the date of entry into force of this Convention, and periodically thereafter at intervals to be decided by the Conference of the Parties, the Conference shall evaluate the effectiveness of this Convention.
2. In order to facilitate such evaluation, the Conference of the Parties shall, at its first meeting, initiate the establishment of arrangements to provide itself with comparable monitoring data on the presence of the chemicals listed in Annexes A, B and C as well as their regional and global environmental transport. These arrangements:
 - (a) Should be implemented by the Parties on a regional basis when appropriate, in accordance with their technical and financial capabilities, using existing monitoring programmes and mechanisms to the extent possible and promoting harmonization of approaches;
 - (b) May be supplemented where necessary, taking into account the differences between regions and their capabilities to implement monitoring activities; and
 - (c) Shall include reports to the Conference of the Parties on the results of the monitoring activities on a regional and global basis at intervals to be specified by the Conference of the Parties.
3. The evaluation described in paragraph 1 shall be conducted on the basis of available scientific, environmental, technical and economic information, including:

- (a) Reports and other monitoring information provided pursuant to paragraph 2;
- (b) National reports submitted pursuant to Article 15; and
- (c) Non-compliance information provided pursuant to the procedures established under Article 17.

Article 17

Non-compliance

The Conference of the Parties shall, as soon as practicable, develop and approve procedures and institutional mechanisms for determining non-compliance with the provisions of this Convention and for the treatment of Parties found to be in non-compliance.

Article 18

Settlement of disputes

1. Parties shall settle any dispute between them concerning the interpretation or application of this Convention through negotiation or other peaceful means of their own choice.
2. When ratifying, accepting, approving or acceding to the Convention, or at any time thereafter, a Party that is not a regional economic integration organization may declare in a written instrument submitted to the depositary that, with respect to any dispute concerning the interpretation or application of the Convention, it recognizes one or both of the following means of dispute settlement as compulsory in relation to any Party accepting the same obligation:
 - (a) Arbitration in accordance with procedures to be adopted by the Conference of the Parties in an annex as soon as practicable;
 - (b) Submission of the dispute to the International Court of Justice.
3. A Party that is a regional economic integration organization may make a declaration with like effect in relation to arbitration in accordance with the procedure referred to in paragraph 2 (a).
4. A declaration made pursuant to paragraph 2 or paragraph 3 shall remain in force until it expires in accordance with its terms or until three months after written notice of its revocation has been deposited with the depositary.
5. The expiry of a declaration, a notice of revocation or a new declaration shall not in any way affect proceedings pending before an arbitral tribunal or the International Court of Justice unless the parties to the dispute otherwise agree.
6. If the parties to a dispute have not accepted the same or any procedure pursuant to paragraph 2, and if they have not been able to settle their dispute within twelve months following notification by one party to another that a dispute exists between them, the dispute shall be submitted to a conciliation commission at the request of any party to the dispute. The conciliation commission shall render a report with recommendations. Additional procedures relating to the conciliation commission shall be included in an annex to be adopted by the Conference of the Parties no later than at its second meeting.

Article 19

Conference of the Parties

1. A Conference of the Parties is hereby established.

2. The first meeting of the Conference of the Parties shall be convened by the Executive Director of the United Nations Environment Programme no later than one year after the entry into force of this Convention. Thereafter, ordinary meetings of the Conference of the Parties shall be held at regular intervals to be decided by the Conference.
3. Extraordinary meetings of the Conference of the Parties shall be held at such other times as may be deemed necessary by the Conference, or at the written request of any Party provided that it is supported by at least one third of the Parties.
4. The Conference of the Parties shall by consensus agree upon and adopt at its first meeting rules of procedure and financial rules for itself and any subsidiary bodies, as well as financial provisions governing the functioning of the Secretariat.
5. The Conference of the Parties shall keep under continuous review and evaluation the implementation of this Convention. It shall perform the functions assigned to it by the Convention and, to this end, shall:
 - (a) Establish, further to the requirements of paragraph 6, such subsidiary bodies as it considers necessary for the implementation of the Convention;
 - (b) Cooperate, where appropriate, with competent international organizations and intergovernmental and non-governmental bodies; and
 - (c) Regularly review all information made available to the Parties pursuant to Article 15, including consideration of the effectiveness of paragraph 2 (b) (iii) of Article 3;
 - (d) Consider and undertake any additional action that may be required for the achievement of the objectives of the Convention.
6. The Conference of the Parties shall, at its first meeting, establish a subsidiary body to be called the Persistent Organic Pollutants Review Committee for the purposes of performing the functions assigned to that Committee by this Convention. In this regard:
 - (a) The members of the Persistent Organic Pollutants Review Committee shall be appointed by the Conference of the Parties. Membership of the Committee shall consist of government-designated experts in chemical assessment or management. The members of the Committee shall be appointed on the basis of equitable geographical distribution;
 - (b) The Conference of the Parties shall decide on the terms of reference, organization and operation of the Committee; and
 - (c) The Committee shall make every effort to adopt its recommendations by consensus. If all efforts at consensus have been exhausted, and no consensus reached, such recommendation shall as a last resort be adopted by a two-thirds majority vote of the members present and voting.
7. The Conference of the Parties shall, at its third meeting, evaluate the continued need for the procedure contained in paragraph 2 (b) of Article 3, including consideration of its effectiveness.
8. The United Nations, its specialized agencies and the International Atomic Energy Agency, as well as any State not Party to this Convention, may be represented at meetings of the Conference of the Parties as observers. Any body or agency, whether national or international, governmental or non-governmental, qualified in matters covered by the Convention, and which has informed the Secretariat of its wish to be represented at a meeting of the Conference of the Parties as an observer may be admitted unless at least one third of the Parties present object. The admission and participation of observers shall be subject to the rules of procedure adopted by the Conference of the Parties.

Article 20

Secretariat

1. A Secretariat is hereby established.
2. The functions of the Secretariat shall be:
 - (a) To make arrangements for meetings of the Conference of the Parties and its subsidiary bodies and to provide them with services as required;
 - (b) To facilitate assistance to the Parties, particularly developing country Parties and Parties with economies in transition, on request, in the implementation of this Convention;
 - (c) To ensure the necessary coordination with the secretariats of other relevant international bodies;
 - (d) To prepare and make available to the Parties periodic reports based on information received pursuant to Article 15 and other available information;
 - (e) To enter, under the overall guidance of the Conference of the Parties, into such administrative and contractual arrangements as may be required for the effective discharge of its functions; and
 - (f) To perform the other secretariat functions specified in this Convention and such other functions as may be determined by the Conference of the Parties.
3. The secretariat functions for this Convention shall be performed by the Executive Director of the United Nations Environment Programme, unless the Conference of the Parties decides, by a three-fourths majority of the Parties present and voting, to entrust the secretariat functions to one or more other international organizations.

Article 21

Amendments to the Convention

1. Amendments to this Convention may be proposed by any Party.
2. Amendments to this Convention shall be adopted at a meeting of the Conference of the Parties. The text of any proposed amendment shall be communicated to the Parties by the Secretariat at least six months before the meeting at which it is proposed for adoption. The Secretariat shall also communicate proposed amendments to the signatories to this Convention and, for information, to the depositary.
3. The Parties shall make every effort to reach agreement on any proposed amendment to this Convention by consensus. If all efforts at consensus have been exhausted, and no agreement reached, the amendment shall as a last resort be adopted by a three-fourths majority vote of the Parties present and voting.
4. The amendment shall be communicated by the depositary to all Parties for ratification, acceptance or approval.
5. Ratification, acceptance or approval of an amendment shall be notified to the depositary in writing. An amendment adopted in accordance with paragraph 3 shall enter into force for the Parties having accepted it on the ninetieth day after the date of deposit of instruments of ratification, acceptance or approval by at least three-fourths of the Parties. Thereafter, the amendment shall enter into force for any other Party on the ninetieth day after the date on which that Party deposits its instrument of ratification, acceptance or approval of the amendment.

Article 22

Adoption and amendment of annexes

1. Annexes to this Convention shall form an integral part thereof and, unless expressly provided otherwise, a reference to this Convention constitutes at the same time a reference to any annexes thereto.
2. Any additional annexes shall be restricted to procedural, scientific, technical or administrative matters.
3. The following procedure shall apply to the proposal, adoption and entry into force of additional annexes to this Convention:
 - (a) Additional annexes shall be proposed and adopted according to the procedure laid down in paragraphs 1, 2 and 3 of Article 21;
 - (b) Any Party that is unable to accept an additional annex shall so notify the depositary, in writing, within one year from the date of communication by the depositary of the adoption of the additional annex. The depositary shall without delay notify all Parties of any such notification received. A Party may at any time withdraw a previous notification of non-acceptance in respect of any additional annex, and the annex shall thereupon enter into force for that Party subject to subparagraph (c); and
 - (c) On the expiry of one year from the date of the communication by the depositary of the adoption of an additional annex, the annex shall enter into force for all Parties that have not submitted a notification in accordance with the provisions of subparagraph (b).
4. The proposal, adoption and entry into force of amendments to Annex A, B or C shall be subject to the same procedures as for the proposal, adoption and entry into force of additional annexes to this Convention, except that an amendment to Annex A, B or C shall not enter into force with respect to any Party that has made a declaration with respect to amendment to those Annexes in accordance with paragraph 4 of Article 25, in which case any such amendment shall enter into force for such a Party on the ninetieth day after the date of deposit with the depositary of its instrument of ratification, acceptance, approval or accession with respect to such amendment.
5. The following procedure shall apply to the proposal, adoption and entry into force of an amendment to Annex D, E or F:
 - (a) Amendments shall be proposed according to the procedure in paragraphs 1 and 2 of Article 21;
 - (b) The Parties shall take decisions on an amendment to Annex D, E or F by consensus; and
 - (c) A decision to amend Annex D, E or F shall forthwith be communicated to the Parties by the depositary. The amendment shall enter into force for all Parties on a date to be specified in the decision.
6. If an additional annex or an amendment to an annex is related to an amendment to this Convention, the additional annex or amendment shall not enter into force until such time as the amendment to the Convention enters into force.

Article 23

Right to vote

1. Each Party to this Convention shall have one vote, except as provided for in paragraph 2.
2. A regional economic integration organization, on matters within its competence, shall exercise its right to vote with a number of votes equal to the number of its member States that are Parties to this Convention. Such an organization shall not exercise its right to vote if any of its member States exercises its right to vote, and vice versa.

Article 24

Signature

This Convention shall be open for signature at Stockholm by all States and regional economic integration organizations on 23 May 2001, and at the United Nations Headquarters in New York from 24 May 2001 to 22 May 2002.

Article 25

Ratification, acceptance, approval or accession

1. This Convention shall be subject to ratification, acceptance or approval by States and by regional economic integration organizations. It shall be open for accession by States and by regional economic integration organizations from the day after the date on which the Convention is closed for signature. Instruments of ratification, acceptance, approval or accession shall be deposited with the depositary.
2. Any regional economic integration organization that becomes a Party to this Convention without any of its member States being a Party shall be bound by all the obligations under the Convention. In the case of such organizations, one or more of whose member States is a Party to this Convention, the organization and its member States shall decide on their respective responsibilities for the performance of their obligations under the Convention. In such cases, the organization and the member States shall not be entitled to exercise rights under the Convention concurrently.
3. In its instrument of ratification, acceptance, approval or accession, a regional economic integration organization shall declare the extent of its competence in respect of the matters governed by this Convention. Any such organization shall also inform the depositary, who shall in turn inform the Parties, of any relevant modification in the extent of its competence.
4. In its instrument of ratification, acceptance, approval or accession, any Party may declare that, with respect to it, any amendment to Annex A, B or C shall enter into force only upon the deposit of its instrument of ratification, acceptance, approval or accession with respect thereto.

Article 26

Entry into force

1. This Convention shall enter into force on the ninetieth day after the date of deposit of the fiftieth instrument of ratification, acceptance, approval or accession.
2. For each State or regional economic integration organization that ratifies, accepts or approves this Convention or accedes thereto after the deposit of the fiftieth instrument of ratification, acceptance, approval or accession, the Convention shall enter into force on the ninetieth day after the date of deposit by such State or regional economic integration organization of its instrument of ratification, acceptance, approval or accession.
3. For the purpose of paragraphs 1 and 2, any instrument deposited by a regional economic integration organization shall not be counted as additional to those deposited by member States of that organization.

Article 27

Reservations

No reservations may be made to this Convention.

Article 28

Withdrawal

1. At any time after three years from the date on which this Convention has entered into force for a Party, that Party may withdraw from the Convention by giving written notification to the depositary.
2. Any such withdrawal shall take effect upon the expiry of one year from the date of receipt by the depositary of the notification of withdrawal, or on such later date as may be specified in the notification of withdrawal.

Article 29

Depositary

The Secretary-General of the United Nations shall be the depositary of this Convention.

Article 30

Authentic texts

The original of this Convention, of which the Arabic, Chinese, English, French, Russian and Spanish texts are equally authentic, shall be deposited with the Secretary-General of the United Nations.

IN WITNESS WHEREOF the undersigned, being duly authorized to that effect, have signed this Convention.

Done at Stockholm on this twenty-second day of May, two thousand and one.

Annex A

ELIMINATION

Part I

Chemical	Activity	Specific exemption
Aldrin* CAS No: 309-00-2	Production	None
	Use	Local ectoparasiticide Insecticide
Chlordane* CAS No: 57-74-9	Production	As allowed for the Parties listed in the Register
	Use	Local ectoparasiticide Insecticide Termiticide Termiticide in buildings and dams Termiticide in roads Additive in plywood adhesives
Dieldrin* CAS No: 60-57-1	Production	None
	Use	In agricultural operations
Endrin* CAS No: 72-20-8	Production	None
	Use	None
Heptachlor* CAS No: 76-44-8	Production	None
	Use	Termiticide Termiticide in structures of houses Termiticide (subterranean) Wood treatment In use in underground cable boxes
Hexachlorobenzene CAS No: 118-74-1	Production	As allowed for the Parties listed in the Register
	Use	Intermediate Solvent in pesticide Closed system site limited intermediate
Mirex* CAS No: 2385-85-5	Production	As allowed for the Parties listed in the Register
	Use	Termiticide
Toxaphene* CAS No: 8001-35-2	Production	None
	Use	None
Polychlorinated Biphenyls (PCB)*	Production	None
	Use	Articles in use in accordance with the provisions of Part II of this Annex

Notes:

- (i) Except as otherwise specified in this Convention, quantities of a chemical occurring as unintentional trace contaminants in products and articles shall not be considered to be listed in this Annex;
- (ii) This note shall not be considered as a production and use specific exemption for purposes of paragraph 2 of Article 3. Quantities of a chemical occurring as constituents of articles manufactured or already in use before or on the date of entry into force of the relevant obligation with respect to that chemical, shall not be considered as listed in this Annex, provided that a Party has notified the Secretariat that a particular type of article remains in use within that Party. The Secretariat shall make such notifications publicly available;
- (iii) This note, which does not apply to a chemical that has an asterisk following its name in the Chemical column in Part I of this Annex, shall not be considered as a production and use specific exemption for purposes of paragraph 2 of Article 3. Given that no significant quantities of the chemical are expected to reach humans and the environment during the production and use of a closed-system site-limited intermediate, a Party, upon notification to the Secretariat, may allow the production and use of quantities of a chemical listed in this Annex as a closed-system site-limited intermediate that is chemically transformed in the manufacture of other chemicals that, taking into consideration the criteria in paragraph 1 of Annex D, do not exhibit the characteristics of persistent organic pollutants. This notification shall include information on total production and use of such chemical or a reasonable estimate of such information and information regarding the nature of the closed-system site-limited process including the amount of any non-transformed and unintentional trace contamination of the persistent organic pollutant-starting material in the final product. This procedure applies except as otherwise specified in this Annex. The Secretariat shall make such notifications available to the Conference of the Parties and to the public. Such production or use shall not be considered a production or use specific exemption. Such production and use shall cease after a ten-year period, unless the Party concerned submits a new notification to the Secretariat, in which case the period will be extended for an additional ten years unless the Conference of the Parties, after a review of the production and use decides otherwise. The notification procedure can be repeated;
- (iv) All the specific exemptions in this Annex may be exercised by Parties that have registered exemptions in respect of them in accordance with Article 4 with the exception of the use of polychlorinated biphenyls in articles in use in accordance with the provisions of Part II of this Annex, which may be exercised by all Parties.

Part II

Polychlorinated biphenyls

Each Party shall:

- (a) With regard to the elimination of the use of polychlorinated biphenyls in equipment (e.g. transformers, capacitors or other receptacles containing liquid stocks) by 2025, subject to review by the Conference of the Parties, take action in accordance with the following priorities:
- (i) Make determined efforts to identify, label and remove from use equipment containing greater than 10 per cent polychlorinated biphenyls and volumes greater than 5 litres;
 - (ii) Make determined efforts to identify, label and remove from use equipment containing greater than 0.05 per cent polychlorinated biphenyls and volumes greater than 5 litres;
 - (iii) Endeavour to identify and remove from use equipment containing greater than 0.005 percent polychlorinated biphenyls and volumes greater than 0.05 litres;
- (b) Consistent with the priorities in subparagraph (a), promote the following measures to reduce exposures and risk to control the use of polychlorinated biphenyls:
- (i) Use only in intact and non-leaking equipment and only in areas where the risk from environmental release can be minimised and quickly remedied;
 - (ii) Not use in equipment in areas associated with the production or processing of food or feed;
 - (iii) When used in populated areas, including schools and hospitals, all reasonable measures to protect from electrical failure which could result in a fire, and regular inspection of equipment for leaks;
- (c) Notwithstanding paragraph 2 of Article 3, ensure that equipment containing polychlorinated biphenyls, as described in subparagraph (a), shall not be exported or imported except for the purpose of environmentally sound waste management;
- (d) Except for maintenance and servicing operations, not allow recovery for the purpose of reuse in other equipment of liquids with polychlorinated biphenyls content above 0.005 per cent;
- (e) Make determined efforts designed to lead to environmentally sound waste management of liquids containing polychlorinated biphenyls and equipment contaminated with polychlorinated biphenyls having a polychlorinated biphenyls content above 0.005 per cent, in accordance with paragraph 1 of Article 6, as soon as possible but no later than 2028, subject to review by the Conference of the Parties;
- (f) In lieu of note (ii) in Part I of this Annex, endeavour to identify other articles containing more than 0.005 per cent polychlorinated biphenyls (e.g. cable-sheaths, cured caulk and painted objects) and manage them in accordance with paragraph 1 of Article 6;
- (g) Provide a report every five years on progress in eliminating polychlorinated biphenyls and submit it to the Conference of the Parties pursuant to Article 15;
- (h) The reports described in subparagraph (g) shall, as appropriate, be considered by the Conference of the Parties in its reviews relating to polychlorinated biphenyls. The Conference of the Parties shall review progress towards elimination of polychlorinated biphenyls at five year intervals or other period, as appropriate, taking into account such reports.

Annex B

RESTRICTION

Part I

Chemical	Activity	Acceptable purpose or specific exemption
DDT (1,1,1-trichloro-2,2-bis(4-chlorophenyl)ethane) CAS No: 50-29-3	Production	<u>Acceptable purpose:</u> Disease vector control use in accordance with Part II of this Annex <u>Specific exemption:</u> Intermediate in production of dicofol Intermediate
	Use	<u>Acceptable purpose:</u> Disease vector control in accordance with Part II of this Annex <u>Specific exemption:</u> Production of dicofol Intermediate

Notes:

- (i) Except as otherwise specified in this Convention, quantities of a chemical occurring as unintentional trace contaminants in products and articles shall not be considered to be listed in this Annex;
- (ii) This note shall not be considered as a production and use acceptable purpose or specific exemption for purposes of paragraph 2 of Article 3. Quantities of a chemical occurring as constituents of articles manufactured or already in use before or on the date of entry into force of the relevant obligation with respect to that chemical, shall not be considered as listed in this Annex, provided that a Party has notified the Secretariat that a particular type of article remains in use within that Party. The Secretariat shall make such notifications publicly available;
- (iii) This note shall not be considered as a production and use specific exemption for purposes of paragraph 2 of Article 3. Given that no significant quantities of the chemical are expected to reach humans and the environment during the production and use of a closed-system site-limited intermediate, a Party, upon notification to the Secretariat, may allow the production and use of quantities of a chemical listed in this Annex as a closed-system site-limited intermediate that is chemically transformed in the manufacture of other chemicals that, taking into consideration the criteria in paragraph 1 of Annex D, do not exhibit the characteristics of persistent organic pollutants. This notification shall include information on total production and use of such chemical or a reasonable estimate of such information and information regarding the nature of the closed-system site-limited process including the amount of any non-transformed and unintentional trace contamination of the persistent organic pollutant-starting material in the final product. This procedure applies except as otherwise specified in this Annex. The Secretariat shall make such notifications available to the Conference of the Parties and to the public. Such production or use shall not be considered a production or use specific exemption. Such production and use shall cease after a ten-year period, unless the Party concerned submits a new notification to the Secretariat, in which case the period will be extended for an additional ten years unless the Conference of the Parties, after a review of the production and use decides otherwise. The notification procedure can be repeated;
- (iv) All the specific exemptions in this Annex may be exercised by Parties that have registered in respect of them in accordance with Article 4.

Part II

DDT (1,1,1-trichloro-2,2-bis(4-chlorophenyl)ethane)

1. The production and use of DDT shall be eliminated except for Parties that have notified the Secretariat of their intention to produce and/or use it. A DDT Register is hereby established and shall be available to the public. The Secretariat shall maintain the DDT Register.
2. Each Party that produces and/or uses DDT shall restrict such production and/or use for disease vector control in accordance with the World Health Organization recommendations and guidelines on the use of DDT and when locally safe, effective and affordable alternatives are not available to the Party in question.
3. In the event that a Party not listed in the DDT Register determines that it requires DDT for disease vector control, it shall notify the Secretariat as soon as possible in order to have its name added forthwith to the DDT Register. It shall at the same time notify the World Health Organization.
4. Every three years, each Party that uses DDT shall provide to the Secretariat and the World Health Organization information on the amount used, the conditions of such use and its relevance to that Party's disease management strategy, in a format to be decided by the Conference of the Parties in consultation with the World Health Organization.
5. With the goal of reducing and ultimately eliminating the use of DDT, the Conference of the Parties shall encourage:
 - (a) Each Party using DDT to develop and implement an action plan as part of the implementation plan specified in Article 7. That action plan shall include:
 - (i) Development of regulatory and other mechanisms to ensure that DDT use is restricted to disease vector control;
 - (ii) Implementation of suitable alternative products, methods and strategies, including resistance management strategies to ensure the continuing effectiveness of these alternatives;
 - (iii) Measures to strengthen health care and to reduce the incidence of the disease.
 - (b) The Parties, within their capabilities, to promote research and development of safe alternative chemical and non-chemical products, methods and strategies for Parties using DDT, relevant to the conditions of those countries and with the goal of decreasing the human and economic burden of disease. Factors to be promoted when considering alternatives or combinations of alternatives shall include the human health risks and environmental implications of such alternatives. Viable alternatives to DDT shall pose less risk to human health and the environment, be suitable for disease control based on conditions in the Parties in question and be supported with monitoring data.
6. Commencing at its first meeting, and at least every three years thereafter, the Conference of the Parties shall, in consultation with the World Health Organization, evaluate the continued need for DDT for disease vector control on the basis of available scientific, technical, environmental and economic information, including:
 - (a) The production and use of DDT and the conditions set out in paragraph 2;
 - (b) The availability, suitability and implementation of the alternatives to DDT; and

(c) Progress in strengthening the capacity of countries to transfer safely to reliance on such alternatives.

7. A Party may, at any time, withdraw its name from the DDT Registry upon written notification to the Secretariat. The withdrawal shall take effect on the date specified in the notification.

Annex C

UNINTENTIONAL PRODUCTION

Part I: Persistent organic pollutants subject to the requirements of Article 5

This Annex applies to the following persistent organic pollutants when formed and released unintentionally from anthropogenic sources:

Chemical
Polychlorinated dibenzo-p-dioxins and dibenzofurans (PCDD/PCDF) Hexachlorobenzene (HCB) (CAS No: 118-74-1) Polychlorinated biphenyls (PCB)

Part II: Source categories

Polychlorinated dibenzo-p-dioxins and dibenzofurans, hexachlorobenzene and polychlorinated biphenyls are unintentionally formed and released from thermal processes involving organic matter and chlorine as a result of incomplete combustion or chemical reactions. The following industrial source categories have the potential for comparatively high formation and release of these chemicals to the environment:

- (a) Waste incinerators, including co-incinerators of municipal, hazardous or medical waste or of sewage sludge;
- (b) Cement kilns firing hazardous waste;
- (c) Production of pulp using elemental chlorine or chemicals generating elemental chlorine for bleaching;
- (d) The following thermal processes in the metallurgical industry:
 - (i) Secondary copper production;
 - (ii) Sinter plants in the iron and steel industry;
 - (iii) Secondary aluminium production;
 - (iv) Secondary zinc production.

Part III: Source categories

Polychlorinated dibenzo-p-dioxins and dibenzofurans, hexachlorobenzene and polychlorinated biphenyls may also be unintentionally formed and released from the following source categories, including:

- (a) Open burning of waste, including burning of landfill sites;
- (b) Thermal processes in the metallurgical industry not mentioned in Part II;
- (c) Residential combustion sources;
- (d) Fossil fuel-fired utility and industrial boilers;
- (e) Firing installations for wood and other biomass fuels;

(f) Specific chemical production processes releasing unintentionally formed persistent organic pollutants, especially production of chlorophenols and chloranil;

(g) Crematoria;

(h) Motor vehicles, particularly those burning leaded gasoline;

(i) Destruction of animal carcasses;

(j) Textile and leather dyeing (with chloranil) and finishing (with alkaline extraction);

(k) Shredder plants for the treatment of end of life vehicles;

(l) Smouldering of copper cables;

(m) Waste oil refineries.

Part IV: Definitions

1. For the purposes of this Annex:

(a) "Polychlorinated biphenyls" means aromatic compounds formed in such a manner that the hydrogen atoms on the biphenyl molecule (two benzene rings bonded together by a single carbon-carbon bond) may be replaced by up to ten chlorine atoms; and

(b) "Polychlorinated dibenzo-p-dioxins" and "polychlorinated dibenzofurans" are tricyclic, aromatic compounds formed by two benzene rings connected by two oxygen atoms in polychlorinated dibenzo-p-dioxins and by one oxygen atom and one carbon-carbon bond in polychlorinated dibenzofurans and the hydrogen atoms of which may be replaced by up to eight chlorine atoms.

2. In this Annex, the toxicity of polychlorinated dibenzo-p-dioxins and dibenzofurans is expressed using the concept of toxic equivalency which measures the relative dioxin-like toxic activity of different congeners of polychlorinated dibenzo-p-dioxins and dibenzofurans and coplanar polychlorinated biphenyls in comparison to 2,3,7,8-tetrachlorodibenzo-p-dioxin. The toxic equivalent factor values to be used for the purposes of this Convention shall be consistent with accepted international standards, commencing with the World Health Organization 1998 mammalian toxic equivalent factor values for polychlorinated dibenzo-p-dioxins and dibenzofurans and coplanar polychlorinated biphenyls. Concentrations are expressed in toxic equivalents.

Part V: General guidance on best available techniques and best environmental practices

This Part provides general guidance to Parties on preventing or reducing releases of the chemicals listed in Part I.

A. General prevention measures relating to both best available techniques and best environmental practices

Priority should be given to the consideration of approaches to prevent the formation and release of the chemicals listed in Part I. Useful measures could include:

(a) The use of low-waste technology;

(b) The use of less hazardous substances;

(c) The promotion of the recovery and recycling of waste and of substances generated and used in a process;

(d) Replacement of feed materials which are persistent organic pollutants or where there is a direct link between the materials and releases of persistent organic pollutants from the source;

(e) Good housekeeping and preventive maintenance programmes;

(f) Improvements in waste management with the aim of the cessation of open and other uncontrolled burning of wastes, including the burning of landfill sites. When considering proposals to construct new waste disposal facilities, consideration should be given to alternatives such as activities to minimize the generation of municipal and medical waste, including resource recovery, reuse, recycling, waste separation and promoting products that generate less waste. Under this approach, public health concerns should be carefully considered;

(g) Minimization of these chemicals as contaminants in products;

(h) Avoiding elemental chlorine or chemicals generating elemental chlorine for bleaching.

B. Best available techniques

The concept of best available techniques is not aimed at the prescription of any specific technique or technology, but at taking into account the technical characteristics of the installation concerned, its geographical location and the local environmental conditions. Appropriate control techniques to reduce releases of the chemicals listed in Part I are in general the same. In determining best available techniques, special consideration should be given, generally or in specific cases, to the following factors, bearing in mind the likely costs and benefits of a measure and consideration of precaution and prevention:

(a) General considerations:

- (i) The nature, effects and mass of the releases concerned: techniques may vary depending on source size;
- (ii) The commissioning dates for new or existing installations;
- (iii) The time needed to introduce the best available technique;
- (iv) The consumption and nature of raw materials used in the process and its energy efficiency;
- (v) The need to prevent or reduce to a minimum the overall impact of the releases to the environment and the risks to it;
- (vi) The need to prevent accidents and to minimize their consequences for the environment;
- (vii) The need to ensure occupational health and safety at workplaces;
- (viii) Comparable processes, facilities or methods of operation which have been tried with success on an industrial scale;
- (ix) Technological advances and changes in scientific knowledge and understanding.

(b) General release reduction measures: When considering proposals to construct new facilities or significantly modify existing facilities using processes that release chemicals listed in this Annex, priority consideration should be given to alternative processes, techniques or practices that have similar usefulness but which avoid the formation and release of such chemicals. In cases where such facilities will be constructed or significantly modified, in addition to the prevention measures outlined in section A of Part V the following reduction measures could also be considered in determining best available techniques:

- (i) Use of improved methods for flue-gas cleaning such as thermal or catalytic oxidation, dust precipitation, or adsorption;
- (ii) Treatment of residuals, wastewater, wastes and sewage sludge by, for example, thermal treatment or rendering them inert or chemical processes that detoxify them;
- (iii) Process changes that lead to the reduction or elimination of releases, such as moving to closed systems;
- (iv) Modification of process designs to improve combustion and prevent formation of the chemicals listed in this Annex, through the control of parameters such as incineration temperature or residence time.

C. Best environmental practices

The Conference of the Parties may develop guidance with regard to best environmental practices.

Annex D

INFORMATION REQUIREMENTS AND SCREENING CRITERIA

1. A Party submitting a proposal to list a chemical in Annexes A, B and/or C shall identify the chemical in the manner described in subparagraph (a) and provide the information on the chemical, and its transformation products where relevant, relating to the screening criteria set out in subparagraphs (b) to (e):

(a) Chemical identity:

- (i) Names, including trade name or names, commercial name or names and synonyms, Chemical Abstracts Service (CAS) Registry number, International Union of Pure and Applied Chemistry (IUPAC) name; and
- (ii) Structure, including specification of isomers, where applicable, and the structure of the chemical class;

(b) Persistence:

- (i) Evidence that the half-life of the chemical in water is greater than two months, or that its half-life in soil is greater than six months, or that its half-life in sediment is greater than six months; or
- (ii) Evidence that the chemical is otherwise sufficiently persistent to justify its consideration within the scope of this Convention;

(c) Bio-accumulation:

- (i) Evidence that the bio-concentration factor or bio-accumulation factor in aquatic species for the chemical is greater than 5,000 or, in the absence of such data, that the log Kow is greater than 5;
- (ii) Evidence that a chemical presents other reasons for concern, such as high bio-accumulation in other species, high toxicity or ecotoxicity; or
- (iii) Monitoring data in biota indicating that the bio-accumulation potential of the chemical is sufficient to justify its consideration within the scope of this Convention;

(d) Potential for long-range environmental transport:

- (i) Measured levels of the chemical in locations distant from the sources of its release that are of potential concern;
- (ii) Monitoring data showing that long-range environmental transport of the chemical, with the potential for transfer to a receiving environment, may have occurred via air, water or migratory species; or
- (iii) Environmental fate properties and/or model results that demonstrate that the chemical has a potential for long-range environmental transport through air, water or migratory species, with the potential for transfer to a receiving environment in locations distant from the sources of its release. For a chemical that migrates significantly through the air, its half-life in air should be greater than two days; and

(e) Adverse effects:

- (i) Evidence of adverse effects to human health or to the environment that justifies consideration of the chemical within the scope of this Convention; or
- (ii) Toxicity or ecotoxicity data that indicate the potential for damage to human health or to the environment.

2. The proposing Party shall provide a statement of the reasons for concern including, where possible, a comparison of toxicity or ecotoxicity data with detected or predicted levels of a chemical resulting or anticipated from its long-range environmental transport, and a short statement indicating the need for global control.

3. The proposing Party shall, to the extent possible and taking into account its capabilities, provide additional information to support the review of the proposal referred to in paragraph 6 of Article 8. In developing such a proposal, a Party may draw on technical expertise from any source.

Annex E

INFORMATION REQUIREMENTS FOR THE RISK PROFILE

The purpose of the review is to evaluate whether the chemical is likely, as a result of its long-range environmental transport, to lead to significant adverse human health and/or environmental effects, such that global action is warranted. For this purpose, a risk profile shall be developed that further elaborates on, and evaluates, the information referred to in Annex D and includes, as far as possible, the following types of information:

- (a) Sources, including as appropriate:
 - (i) Production data, including quantity and location;
 - (ii) Uses; and
 - (iii) Releases, such as discharges, losses and emissions;
- (b) Hazard assessment for the endpoint or endpoints of concern, including a consideration of toxicological interactions involving multiple chemicals;
- (c) Environmental fate, including data and information on the chemical and physical properties of a chemical as well as its persistence and how they are linked to its environmental transport, transfer within and between environmental compartments; degradation and transformation to other chemicals. A determination of the bio-concentration factor or bio-accumulation factor, based on measured values, shall be available, except when monitoring data are judged to meet this need;
- (d) Monitoring data;
- (e) Exposure in local areas and, in particular, as a result of long-range environmental transport, and including information regarding bio-availability;
- (f) National and international risk evaluations, assessments or profiles and labelling information and hazard classifications, as available; and
- (g) Status of the chemical under international conventions.

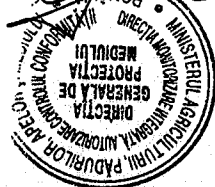
Annex F

INFORMATION ON SOCIO-ECONOMIC CONSIDERATIONS

An evaluation should be undertaken regarding possible control measures for chemicals under consideration for inclusion in this Convention, encompassing the full range of options, including management and elimination. For this purpose, relevant information should be provided relating to socio-economic considerations associated with possible control measures to enable a decision to be taken by the Conference of the Parties. Such information should reflect due regard for the differing capabilities and conditions among the Parties and should include consideration of the following indicative list of items:

- (a) Efficacy and efficiency of possible control measures in meeting risk reduction goals:
 - (i) Technical feasibility; and
 - (ii) Costs, including environmental and health costs;
- (b) Alternatives (products and processes):
 - (i) Technical feasibility;
 - (ii) Costs, including environmental and health costs;
 - (iii) Efficacy;
 - (iv) Risk;
 - (v) Availability; and
 - (vi) Accessibility;
- (c) Positive and/or negative impacts on society of implementing possible control measures:
 - (i) Health, including public, environmental and occupational health;
 - (ii) Agriculture, including aquaculture and forestry;
 - (iii) Biota (biodiversity);
 - (iv) Economic aspects;
 - (v) Movement towards sustainable development; and
 - (vi) Social costs;
- (d) Waste and disposal implications (in particular, obsolete stocks of pesticides and clean-up of contaminated sites):
 - (i) Technical feasibility; and
 - (ii) Cost;
- (e) Access to information and public education;
- (f) Status of control and monitoring capacity; and
- (g) Any national or regional control actions taken, including information on alternatives, and other relevant risk management information.

TEXTUL ORIGINAL AL CONVENTIEI
STOCKHOLM PRIVIND POLUANTII ORGANICI PERSISTENTI
CORNEL FLOREA
DIRECTOR
DIRECTIA MONITORING
INTEGRAT, AUTORIZARE,
CONTROLUL CONFORMITATII



Stockholm Convention on Persistent Organic Pollutants

Stockholm, 22 May 2001

Entry into force:

17 May 2004, in accordance with article 26 (1) see article 26 which reads as follows:

"1. This Convention shall enter into force on the ninetieth day after the date of deposit of the fiftieth instrument of ratification acceptance, approval or accession.

2. For each State or regional economic integration organization that ratifies, accepts or approves this Convention or accedes thereto after the deposit of the fiftieth instrument of ratification, acceptance, approval or accession, the Convention shall enter into force on the ninetieth day after the date of deposit by such State or regional economic integration organization of its instrument of ratification, acceptance, approval or accession.

3. For the purpose of paragraphs 1 and 2, any instrument deposited by a regional economic integration organization shall not be counted as additional to those deposited by member States of that organization."

Status:

Signatories: 151 ,Parties: 53¹.

Text:

Depositary notification C.N.531.2001.TREATIES-96 of 19 June 2001;
C.N.1204.2002.TREATIES-63 of 19 November 2002 [Proposal of corrections to the original text of the Convention (authentic Spanish text)] and
C.N.157.2003.TREATIES-6 of 21 February 2003 [Correction of the original text of the Convention (authentic Spanish text)].

Note: The Convention was adopted on 22 May 2001 at the Conference of Plenipotentiaries on the Stockholm Convention on Persistent Organic Pollutants, Stockholm, 22-23 May 2001.

In accordance with its article 24, the Convention will be open for signature at Stockholm by all States and by regional economic integration organizations on 23 May 2001 at the Stockholm City Conference Centre/Folkets Hus, and at the United Nations Headquarters in New York from 24 May 2001 to 22 May 2002.

PARTICIPANTS

Participant	Signature	Ratification, Acceptance (A), Approval (AA), Accession (a)
Albania	5 Dec 2001	
Algeria	5 Sep 2001	
Antigua and Barbuda	23 May 2001	10 Sep 2003
Argentina	23 May 2001	

Armenia	23 May 2001	26 Nov 2003
Australia	23 May 2001	
Austria	23 May 2001	27 Aug 2002
Azerbaijan		13 Jan 2004 a
Bahamas	20 Mar 2002	
Bahrain	22 May 2002	
Bangladesh	23 May 2001	
Belarus		3 Feb 2004 a
Belgium	23 May 2001	
Belize	14 May 2002	
Benin	23 May 2001	5 Jan 2004
Bolivia	23 May 2001	3 Jun 2003
Bosnia and Herzegovina	23 May 2001	
Botswana		28 Oct 2002 a
Brazil	23 May 2001	
Brunei Darussalam	21 May 2002	
Bulgaria	23 May 2001	
Burkina Faso	23 May 2001	
Burundi	2 Apr 2002	
Cambodia	23 May 2001	
Cameroon	5 Oct 2001	
Canada	23 May 2001	23 May 2001
Central African Republic	9 May 2002	
Chad	16 May 2002	10 Mar 2004
Chile	23 May 2001	
China	23 May 2001	
Colombia	23 May 2001	
Comoros	23 May 2001	
Congo	4 Dec 2001	
Costa Rica	16 Apr 2002	
Côte d'Ivoire	23 May 2001	20 Jan 2004
Croatia	23 May 2001	
Cuba	23 May 2001	
Czech Republic	23 May 2001	6 Aug 2002
Democratic People's Republic of Korea		26 Aug 2002 a
Denmark ²	23 May 2001	17 Dec 2003
Djibouti	15 Nov 2001	11 Mar 2004
Dominica		8 Aug 2003 a
Dominican Republic	23 May 2001	
Ecuador	28 Aug 2001	
Egypt	17 May 2002	2 May 2003
El Salvador	30 Jul 2001	
Ethiopia	17 May 2002	9 Jan 2003
European Community	23 May 2001	
Fiji	14 Jun 2001	20 Jun 2001
Finland	23 May 2001	3 Sep 2002 A
France	23 May 2001	17 Feb 2004 AA
Gabon	21 May 2002	
Gambia	23 May 2001	
Georgia	23 May 2001	
Germany	23 May 2001	25 Apr 2002
Ghana	23 May 2001	30 May 2003
Greece	23 May 2001	
Guatemala	29 Jan 2002	
Guinea	23 May 2001	
Guinea-Bissau	24 Apr 2002	
Haiti	23 May 2001	
Honduras	17 May 2002	

Hungary	23 May 2001	
Iceland	23 May 2001	29 May 2002
India	14 May 2002	
Indonesia	23 May 2001	
Iran (Islamic Republic of)	23 May 2001	
Ireland	23 May 2001	
Israel	30 Jul 2001	
Italy	23 May 2001	
Jamaica	23 May 2001	
Japan		30 Aug 2002 a
Jordan	18 Jan 2002	
Kazakhstan	23 May 2001	
Kenya	23 May 2001	
Kiribati	4 Apr 2002	
Kuwait	23 May 2001	
Kyrgyzstan	16 May 2002	
Lao People's Democratic Republic	5 Mar 2002	
Latvia	23 May 2001	
Lebanon	23 May 2001	3 Jan 2003
Lesotho	23 Jan 2002	23 Jan 2002
Liberia		23 May 2002 a
Liechtenstein	23 May 2001	
Lithuania	17 May 2002	
Luxembourg	23 May 2001	7 Feb 2003
Madagascar	24 Sep 2001	
Malawi	22 May 2002	
Malaysia	16 May 2002	
Mali	23 May 2001	5 Sep 2003
Malta	23 May 2001	
Marshall Islands		27 Jan 2003 a
Mauritania	8 Aug 2001	
Mauritius	23 May 2001	
Mexico	23 May 2001	10 Feb 2003
Micronesia (Federated States of)	31 Jul 2001	
Monaco	23 May 2001	
Mongolia	17 May 2002	
Morocco	23 May 2001	
Mozambique	23 May 2001	
Nauru	9 May 2002	9 May 2002
Nepal	5 Apr 2002	
Netherlands	23 May 2001	28 Jan 2002 A
New Zealand	23 May 2001	
Nicaragua	23 May 2001	
Niger	12 Oct 2001	
Nigeria	23 May 2001	
Niue	12 Mar 2002	
Norway	23 May 2001	11 Jul 2002
Oman	4 Mar 2002	
Pakistan	6 Dec 2001	
Palau	28 Mar 2002	
Panama	23 May 2001	5 Mar 2003
Papua New Guinea	23 May 2001	7 Oct 2003
Paraguay	12 Oct 2001	
Peru	23 May 2001	
Philippines	23 May 2001	27 Feb 2004
Poland	23 May 2001	
Portugal	23 May 2001	
Republic of Korea	4 Oct 2001	

Republic of Moldova	23 May 2001	
Romania	23 May 2001	
Russian Federation	22 May 2002	
Rwanda		5 Jun 2002 a
Saint Lucia		4 Oct 2002 a
Samoa	23 May 2001	4 Feb 2002
Sao Tome and Principe	3 Apr 2002	
Saudi Arabia	14 Mar 2002	
Senegal	23 May 2001	8 Oct 2003
Serbia and Montenegro	2 May 2002	
Seychelles	25 Mar 2002	
Sierra Leone		26 Sep 2003 a
Singapore	23 May 2001	
Slovakia	23 May 2001	5 Aug 2002
Slovenia	23 May 2001	
South Africa	23 May 2001	4 Sep 2002
Spain	23 May 2001	
Sri Lanka	5 Sep 2001	
Sudan	23 May 2001	
Suriname	22 May 2002	
Sweden	23 May 2001	8 May 2002
Switzerland	23 May 2001	30 Jul 2003
Syrian Arab Republic	15 Feb 2002	
Tajikistan	21 May 2002	
Thailand	22 May 2002	
The Former Yugoslav Republic of Macedonia	23 May 2001	
Togo	23 May 2001	
Tonga	21 May 2002	
Trinidad and Tobago		13 Dec 2002 a
Tunisia	23 May 2001	
Turkey	23 May 2001	
Tuvalu		19 Jan 2004 a
Ukraine	23 May 2001	
United Arab Emirates	23 May 2001	11 Jul 2002
United Kingdom of Great Britain and Northern Ireland	11 Dec 2001	
United Republic of Tanzania	23 May 2001	
United States of America	23 May 2001	
Uruguay	23 May 2001	9 Feb 2004
Vanuatu	21 May 2002	
Venezuela	23 May 2001	
Viet Nam	23 May 2001	22 Jul 2002
Yemen	5 Dec 2001	9 Jan 2004
Zambia	23 May 2001	
Zimbabwe	23 May 2001	

DECLARATIONS

Declarations

(Unless otherwise indicated, the declarations were made upon ratification,

acceptance, approval or accession.)

Austria

Declaration:

"The Republic of Austria declares in accordance with Article 18 paragraph 2 of the Convention that it accepts both of the means of dispute settlement mentioned in paragraph 2 as compulsory in relation to any party accepting an obligation concerning one or both of these means of dispute settlement."

Belgium

Declaration made upon signature:

"This signature engages also the Walloon region, the Flemish region, and the Brussels-Capital region."

Botswana

Declaration:

"... the Republic of Botswana declares pursuant to article 25 (4) that, with respect to it, any amendment to Annex A, B or C shall enter into force for it only after it has deposited an instrument of ratification, acceptance, approval or accession with respect to such amendment."

Canada

Declaration:

"Pursuant to Article 25, paragraph 4, of the Stockholm Convention on Persistent Organic Pollutants, Canada hereby declares that any amendment to Annex A, B or C shall enter into force for Canada only upon the deposit by Canada of its instrument of ratification, acceptance or approval with respect thereto."

Slovakia

Declaration:

"Pursuant to article 25, paragraph 4, of the Stockholm Convention on Persistent Organic Pollutants, the Slovak Republic hereby declares that any amendment to Annex A, B or C shall enter into force for the Slovak Republic only upon the deposit by the Slovak Republic of its instrument of ratification, acceptance, approval or accession with respect thereto."

NOTES

1. In accordance with article 26 (3) of the Convention, any instrument of ratification, acceptance, approval or accession deposited by a regional economic integration organization shall not be counted as additional to those deposited by member States of that organization.

2. With a territorial exclusion in respect of the Faroe Islands and Greenland.

[Home](#)

[Calendar of Events](#)

[Sitemap](#)

[Weblinks](#)

[Search](#)

[Contact us](#)