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EUROPEAN COMMISSION

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**RECOMMENDATION FROM THE COMMISSION TO THE COUNCIL**

**concerning a proposal, on behalf of the European Union, for amendments to Annexes A and C to the Stockholm Convention on Persistent Organic Pollutants**

## RECOMMENDATION FROM THE COMMISSION TO THE COUNCIL

### concerning a proposal, on behalf of the European Union, for amendments to Annexes A and C to the Stockholm Convention on Persistent Organic Pollutants

#### A. EXPLANATORY MEMORANDUM

1. The Stockholm Convention on persistent organic pollutants entered into force on 17 May 2004. The aim of the Convention is to protect human health and the environment from persistent organic pollutants. The Convention provides a framework, based on the precautionary principle, for elimination of production, use, import and export of currently twenty-one priority persistent organic pollutants, their safe handling and disposal and elimination or reduction of releases of certain unintentional persistent organic pollutants.
2. Regulation (EC) No 850/2004 implements in Union law the commitments set out in the Stockholm Convention on Persistent Organic Pollutants, hereinafter "the Convention", approved by Council Decision 2006/507/EC<sup>1</sup> and in the Protocol to the 1979 Convention on Long-Range Transboundary Air Pollution on Persistent Organic Pollutants approved by Council Decision 259/2004/EC<sup>2</sup>.
3. In the Convention, Article 8(1) stipulates that any Party may submit a proposal to the Secretariat for listing a chemical in Annexes A, B or C. The proposal shall contain the information specified in Annex D. The procedure for the adoption of amendment to Annexes is foreseen by Article 22 of the Convention.
4. According to available scientific information and review reports and taking due account of the screening criteria laid down in Annex D of the Convention hexachlorobutadiene, pentachlorophenol and chlorinated naphthalenes exhibit characteristics of persistent organic pollutants.
5. The production, placing on the market, use or unintentional emission of these substances have already ceased or has been severely reduced in the Union, whereas it cannot be excluded that they are still produced, used or significantly unintentionally emitted in other countries. Due to the potential for long-range environmental transport of these chemicals, the measures taken nationally or at the Union level are not sufficient to safeguard the high level of protection of the environment and human health but wider international action is necessary.
6. The Council's authorisation for negotiations is based on Article 218(2) TFEU.

#### B. RECOMMENDATION

In the light of the above, the Commission recommends that:

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<sup>1</sup> OJ L 209, 31.7.2006, p. 1

<sup>2</sup> OJ L 81, 19.02.2004, p. 35

The Council authorises, with a view to starting the review procedures towards negotiations on possible amendments of Annexes A and C to the Stockholm Convention on Persistent Organic Pollutants, the Commission to submit to the Executive Secretariat of the Convention, in time for consideration by the next Persistent Organic Pollutants Review Committee meeting in October 2010, the proposal, on behalf of the European Union, to amend the relevant annexes to the Convention by adding the following substances to Annex A and/or Annex C:

- hexachlorobutadiene (CAS number: 87-68-3),
- pentachlorophenol (CAS number: 87-86-5);
- chlorinated naphthalenes (a group of 75 chlorinated naphthalenes containing one to eight chlorine atoms);

The Commission together with the Member States shall ensure that relevant information in support of the proposals is submitted to the Persistent Organic Pollutants Review Committee.

Done at Brussels,

*For the Council, The President*