



**COUNCIL OF
THE EUROPEAN UNION**

Brussels, 11 July 2007

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COVER NOTE

from: Secretary-General of the European Commission,
signed by Mr Jordi AYET PUIGARNAU, Director

date of receipt: 11 July 2007

to: Mr Javier SOLANA, Secretary-General/High Representative

Subject: Recommendation from the Commission to the Council concerning proposals,
on behalf of the European Community together with the Member States, for
amendments to Annex A of the Stockholm Convention on Persistent Organic
Pollutants (POPs)

Delegations will find attached Commission document SEC(2007) 972 final.

Encl.: SEC(2007) 972 final



COMMISSION OF THE EUROPEAN COMMUNITIES

Brussels, 11.7.2007
SEC(2007)972 final

RECOMMENDATION FROM THE COMMISSION TO THE COUNCIL

Concerning proposals, on behalf of the European Community together with the Member States, for amendments to annex A of the Stockholm Convention on Persistent Organic Pollutants (POPs)

A. EXPLANATORY MEMORANDUM

1. The Stockholm Convention on persistent organic pollutants (POPs) (hereafter called “the Convention”). 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 the initial twelve priority POPs, their safe handling and disposal and elimination or reduction of releases of certain unintentional POPs.
2. The European Community and most of its Member States are Parties to the Convention¹.
3. In accordance with Article 8 of the Convention, any Party may submit a proposal to the Secretariat for listing a chemical in the Annexes to the Convention. Further to a technical review, this procedure may result in a decision of the Conference of the Parties on whether to list the chemical, and to specify its related control measures, in the Annexes to the Convention, on the basis of the procedure set out in Article 22(4) relating to the amendment of annexes. Based on the requirement of close co-operation in the international representation of the Community, proposals should be submitted by the Community and the Member States together.
4. With a view to starting the procedures towards negotiations on possible amendments of the Annexes to the Convention, the Commission, with respect to matters falling within Community competence, has submitted in 2005 and 2006 to the Executive Secretary of the Convention, the proposal, on behalf of the Community and together with Member States which are Parties to the Convention, to amend the relevant Annexes of the Convention by adding the following substances: hexabromobiphenyl, chlordecone, octabromodiphenyl ether, pentachlorobenzene and short-chained chlorinated paraffins.

¹ At the Working Party of International Environmental Issues of 9 January 2007, the Commission recalled that all Member States should ratify the Stockholm Convention as soon as possible further to the principle of unity in the international representation of the Community.

5. According to available scientific information and review reports and taking due account of Annex D of the Convention, Endosulfan and Trifluralin exhibit characteristics of POPs. The two substances have been evaluated under the Council Directive 91/414/EEC concerning the placing of plants protection products on the market². As a result, plant protection products containing endosulfan are to be totally and definitively withdrawn by December 2007³ and plant protection products containing trifluralin should be totally and definitively withdrawn by December 2008⁴. Due to the potential for long-range environmental transport of these chemicals, the measures taken nationally or at Community level are not sufficient to safeguard a high level of protection of the environment and human health and wider international action is therefore necessary. It is therefore appropriate that the Community and the Member States which are Parties to the Convention, propose to amend the relevant Annexes to the Convention by adding these two substances.

² OJ L 230, 19.8.1991, p. 1. Directive as last amended by Commission Directive 2005/58/EC (OJ L 246, 2.9.2005, p. 27).

³ OJ L 317, 3.12.2005, p. 25.

⁴ Commission Decision concerning the non-inclusion of trifluralin in Annex I to Council Directive 91/414/EEC should be adopted very soon.

B. RECOMMENDATION

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

- The Council authorises, with a view to starting the procedures towards negotiations on possible amendments of the Annexes to the Stockholm Convention on Persistent Organic Pollutants, the Commission, with respect to matters falling within Community competence, to submit to the Executive Secretary of the Stockholm Convention, in time for consideration by the next Meeting of the POP Review Committee in November 2007, the proposal, on behalf of the Community and together with Member States which are Parties to the Convention, to amend the relevant Annexes of the Convention by adding the following substances:
 - Endosulfan
 - Trifluralin
- The Commission together with the Member States shall ensure that relevant information in support of the proposals is submitted to the Secretariat.