



**REPUBLIC OF VANUATU**

**STOCKHOLM CONVENTION ON PERSISTENT  
ORGANIC POLLUTANTS STOCKHOLM, 22 MAY  
2001 ADOPTION OF AMENDMENTS TO ANNEXES A,  
B AND C (RATIFICATION)  
ACT NO. 6 OF 2014**

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# REPUBLIC OF VANUATU

Assent: 19/06/2014  
Commencement: 26/06/2014

## STOCKHOLM CONVENTION ON PERSISTENT ORGANIC POLLUTANTS STOCKHOLM, 22 MAY 2001 ADOPTION OF AMENDMENTS TO ANNEXES A, B AND C (RATIFICATION) ACT NO. 6 OF 2014

An Act provides for the ratification of the Stockholm Convention on Persistent Organic Pollutants Stockholm, 22 May 2001 Adoption of Amendments to Annexes A, B, and C.

Be it enacted by the President and Parliament as follows -

### **1 Ratification**

The Stockholm Convention on Persistent Organic Pollutants Stockholm, 22 May 2001 Adoption of Amendments to Annexes A, B and C is ratified.

### **2 Commencement**

This Act comes into force on the day on which it is published in the Gazette.

UNITED NATIONS  NATIONS UNIES

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STOCKHOLM CONVENTION ON PERSISTENT ORGANIC POLLUTANTS

STOCKHOLM, 22 MAY 2001

ADOPTION OF AMENDMENTS TO ANNEXES A, B AND C

The Secretary-General of the United Nations, acting in his capacity as depositary, communicates the following:

At its fourth meeting held in Geneva from 4 to 8 May 2009, the Conference of the Parties to the above Convention adopted amendments to Annexes A, B and C by decisions SC-4/10, 4/11, 4/12, 4/13, 4/14, 4/15, 4/16, 4/17 and 4/18 to list the following chemicals in the respective annexes:

<i>Decision</i>	<i>Amendment</i>
SC-4/10	Listing of alpha hexachlorocyclohexane
SC-4/11	Listing of beta hexachlorocyclohexane
SC-4/12	Listing of chlordecone
SC-4/13	Listing of hexabromobiphenyl
SC-4/14	Listing of hexabromodiphenyl ether and heptabromodiphenyl ether
SC-4/15	Listing of lindane
SC-4/16	Listing of pentachlorobenzene
SC-4/17	Listing of perfluorooctane sulfonic acid, its salts and perfluorooctane sulfonyl fluoride
SC-4/18	Listing of tetrabromodiphenyl ether and pentabromodiphenyl ether

In accordance with paragraphs 3(b) and 3(c) and paragraph 4 of article 22 of the Convention, any Party that is unable to accept an amendment to Annex A, B or C shall so notify the depositary, in writing, within one year from the date of communication by the depositary of the adoption of the amendment. 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 amendment to Annex A, B or C, and the annex shall thereupon enter into force for that Party subject to paragraph 3(c) of article 22. On the expiry of one year from the date of the communication by the depositary of the adoption of the amendment to Annex A, B or C, the amendment shall enter into force for all Parties that have not submitted a notification in accordance with the provisions of paragraph 3(b) of article 22.

In accordance with paragraph 4 of article 22, 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

Attention: Treaty Services of Ministries of Foreign Affairs and of international organizations concerned. Depositary notifications are currently issued in both hard copy and electronic format. Depositary notifications are made available to the Permanent Missions to the United Nations at the following e-mail address: [missions@un.int](mailto:missions@un.int). Such notifications are also available in the United Nations Treaty Collection on the Internet at <http://treaties.un.org>, where interested individuals can subscribe to directly receive depositary notifications by e-mail through a new automated subscription service. Depositary notifications are available for pick-up by the Permanent Missions in Room NL-300.

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.

The texts of the amendments to Annexes A, B and C, as contained in the above-mentioned decisions ..... of the Conference of the Parties, in the six authentic languages are transmitted herewith.

26 August 2009

A handwritten signature in black ink, consisting of a stylized, cursive 'R' followed by a flourish.

Attention: Treaty Services of Ministries of Foreign Affairs and of international organizations concerned. Depositary notifications are currently issued in both hard copy and electronic format. Depositary notifications are made available to the Permanent Missions to the United Nations at the following e-mail address: [missions@un.int](mailto:missions@un.int). Such notifications are also available in the United Nations Treaty Collection on the Internet at <http://treaties.un.org>, where interested individuals can subscribe to directly receive depositary notifications by e-mail through a new automated subscription service. Depositary notifications are available for pick-up by the Permanent Missions in Room NL-300.

## SC-4/10: Listing of alpha hexachlorocyclohexane

*The Conference of the Parties,*

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

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

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

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

## SC-4/11: Listing of beta hexachlorocyclohexane

*The Conference of the Parties,*

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

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

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

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

## SC-4/12: Listing of chlordecone

*The Conference of the Parties,*

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

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

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

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

- 1 UNEP/POPS/POPRC.3/20/Add.8 and UNEP/POPS/POPRC.4/15/Add.3.
- 2 UNEP/POPS/COP.4/17.
- 3 UNEP/POPS/POPRC.3/20/Add.9 and UNEP/POPS/POPRC.4/15/Add.4.
- 4 UNEP/POPS/COP.4/17.
- 5 UNEP/POPS/POPRC.3/20/Add.10 and UNEP/POPS/POPRC.3/20/Add.2.
- 6 UNEP/POPS/COP.4/17.

## SC-4/13: Listing of hexabromobiphenyl

*The Conference of the Parties,*

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

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

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

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

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

*The Conference of the Parties,*

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

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

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

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

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

For the purpose of this Annex:

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

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

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

8 UNEP/POPS/COP.4/17.

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

10 UNEP/POPS/COP.4/17.

## Part IV

### Hexabromodiphenyl ether and heptabromodiphenyl ether

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

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

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

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

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

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

### SC-4/15: Listing of lindane

*The Conference of the Parties,*

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

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

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

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

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

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

12 UNEP/POPS/COP.4/17.

## SC-4/16: Listing of pentachlorobenzene

*The Conference of the Parties,*

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

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

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

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

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

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

*The Conference of the Parties,*

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

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

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

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

14 UNEP/POPS/COP.4/17.

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

16 UNEP/POPS/COP.4/17.



Chemical	Activity	Acceptable purpose or specific exemption
<p>Perfluorooctane sulfonic acid (CAS No: 1763-23-1), its salts<sup>a</sup> and perfluorooctane sulfonyl fluoride (CAS No: 307-35-7)</p> <p><sup>a</sup> For example: potassium perfluorooctane sulfonate (CAS no. 2795-39-3); lithium perfluorooctane sulfonate (CAS no. 29457-72-5); ammonium perfluorosulfonate (CAS no. 29081-56-9); diethanolammonium perfluorooctane sulfonate (CAS no. 70225-14-8); tetraethylammonium perfluorooctane sulfonate (CAS no. 56773-42-3); didecyldimethylammonium perfluorooctane sulfonate (CAS no. 251099-16-8)</p>	Production	<p><b>Acceptable purpose:</b></p> <p>In accordance with part III of this Annex, production of other chemicals to be used solely for the uses below. Production for uses listed below.</p> <p><b>Specific exemption:</b></p> <p>As allowed for Parties listed in the Register.</p>
	Use	<p><b>Acceptable purpose:</b></p> <p>In accordance with part III of this Annex for the following acceptable purposes, or as an intermediate in the production of chemicals with the following acceptable purposes:</p> <ul style="list-style-type: none"> <li>• Photo-imaging</li> <li>• Photo-resist and anti-reflective coatings for semi-conductors</li> <li>• Etching agent for compound semi-conductors and ceramic filters</li> <li>• Aviation hydraulic fluids</li> <li>• Metal plating (hard metal plating) only in closed-loop systems</li> <li>• Certain medical devices (such as ethylene tetrafluoroethylene copolymer (ETFE) layers and radio-opaque ETFE production, in-vitro diagnostic medical devices, and CCD colour filters)</li> <li>• Fire-fighting foam</li> <li>• Insect baits for control of leaf-cutting ants from <i>Atta spp.</i> and <i>Acromyrmex spp.</i></li> </ul> <p><b>Specific exemption:</b></p> <p>For the following specific uses, or as an intermediate in the production of chemicals with the following specific uses:</p> <ul style="list-style-type: none"> <li>• Photo masks in the semiconductor and liquid crystal display (LCD) industries</li> <li>• Metal plating (hard metal plating)</li> <li>• Metal plating (decorative plating)</li> <li>• Electric and electronic parts for some colour printers and colour copy machines</li> <li>• Insecticides for control of red imported fire ants and termites</li> <li>• Chemically driven oil production</li> <li>• Carpets</li> <li>• Leather and apparel</li> <li>• Textiles and upholstery</li> <li>• Paper and packaging</li> <li>• Coatings and coating additives</li> <li>• Rubber and plastics</li> </ul>

2. Also decides to create a new part III in Annex B called “Perfluorooctane sulfonic acid (PFOS), its salts, and perfluorooctane sulfonyl fluoride (PFOSF)”, which reads:

### Part III

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

1. The production and use of perfluorooctane sulfonic acid (PFOS), its salts and perfluorooctane sulfonyl fluoride (PFOSF) shall be eliminated by all Parties except as provided in part I of this Annex for Parties that have notified the Secretariat of their intention to produce and/or use them for acceptable purposes. A Register of Acceptable Purposes is hereby established and shall be available to the public. The Secretariat shall maintain the Register of Acceptable Purposes. In the event that a Party not listed in the Register determines that it requires the use of PFOS, its salts or PFOSF for the acceptable purposes listed in part I of this Annex it shall notify the Secretariat as soon as possible in order to have its name added forthwith to the Register.
2. Parties that produce and/or use these chemicals shall take into account, as appropriate, guidance such as that given in the relevant parts of the general guidance on best available techniques and best environmental practices given in part V of Annex C of the Convention.
3. Every four years, each Party that uses and/or produces these chemicals shall report on progress made to eliminate PFOS, its salts and PFOSF and submit information on such progress to the Conference of the Parties pursuant to and in the process of reporting under Article 15 of the Convention.
4. With the goal of reducing and ultimately eliminating the production and/or use of these chemicals, the Conference of the Parties shall encourage:
  - (a) Each Party using these chemicals to take action to phase out uses when suitable alternative substances or methods are available;
  - (b) Each Party using and/or producing these chemicals to develop and implement an action plan as part of the implementation plan specified in Article 7 of the Convention;
  - (c) The Parties, within their capabilities, to promote research on and development of safe alternative chemical and non-chemical products and processes, methods and strategies for Parties using these chemicals, relevant to the conditions of those Parties. Factors to be promoted when considering alternatives or combinations of alternatives shall include the human health risks and environmental implications of such alternatives.
5. The Conference of the Parties shall evaluate the continued need for these chemicals for the various acceptable purposes and specific exemptions on the basis of available scientific, technical, environmental and economic information, including:
  - (a) Information provided in the reports described in paragraph 3;
  - (b) Information on the production and use of these chemicals;
  - (c) Information on the availability, suitability and implementation of alternatives to these chemicals;
  - (d) Information on progress in building the capacity of countries to transfer safely to reliance on such alternatives.
6. The evaluation referred to in the preceding paragraph shall take place no later than in 2015 and every four years thereafter, in conjunction with a regular meeting of the Conference of the Parties.
7. Due to the complexity of the use and the many sectors of society involved in the use of these chemicals, there might be other uses of these chemicals of which countries are not presently aware. Parties which

become aware of other uses are encouraged to inform the Secretariat as soon as possible.

8. A Party may, at any time, withdraw its name from the Register of acceptable purposes upon written notification to the Secretariat. The withdrawal shall take effect on the date specified in the notification.

9. The provisions of note (iii) of part I of Annex B shall not apply to these chemicals.

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

*The Conference of the Parties,*

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

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

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

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

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

For the purpose of this Annex:

"Tetrabromodiphenyl ether and pentabromodiphenyl ether" means 2,2',4,4'-tetrabromodiphenyl ether (BDE-47, CAS No: 40088-47-9) and 2,2',4,4',5-pentabromodiphenyl ether (BDE-99, CAS No: 32534-81-9) and other tetra- and pentabromodiphenyl ethers present in commercial pentabromodiphenyl ether.

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

### Part IV

#### Tetrabromodiphenyl ether and pentabromodiphenyl ether

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

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

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

18 UNEP/POPS/COP.4/17.

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

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

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

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