

SC-8/4: Evaluation and review of brominated diphenyl ethers pursuant to paragraph 2 of parts IV and V of Annex A to the Stockholm Convention

The Conference of the Parties,

Noting the priority areas for action recognized in decision SC-8/18 on effectiveness evaluation as they relate to the elimination of brominated diphenyl ethers¹ contained in articles,

Recalling that, pursuant to paragraph 6 of Article 3 of the Stockholm Convention, any Party that has a specific exemption in accordance with Annex A to the Convention shall take appropriate measures to ensure that any production or use under such exemption is carried out in a manner that prevents or minimizes human exposure and release into the environment,

1. *Takes note* of the report by the Secretariat for the evaluation and review of brominated diphenyl ethers;²

2. *Notes* from the report referred to in paragraph 1 above that brominated diphenyl ethers have been detected in a range of articles in use, including plastic toys that are not subject to flammability requirements, which suggests that their presence is unintentional and possibly a consequence of the recycling of plastics containing brominated diphenyl ethers;

3. *Also notes* that a number of Parties are still registered for specific exemptions for brominated diphenyl ethers;

4. *Urges, recalling* decision SC-5/5, Parties and other relevant stakeholders to implement where appropriate, taking into account national circumstances, the recommendations set out in the annex to decision POPRC-6/2 on the elimination from the waste stream of brominated diphenyl ethers and to provide information on progress in doing so to the Conference of the Parties in order to facilitate the evaluation and review of progress in eliminating brominated diphenyl ethers through the process referred to in paragraph 8 below;

5. *Also urges* Parties to take determined steps to ensure that brominated diphenyl ethers are not introduced into articles in which their presence would pose a risk of human exposure, in particular consumer products such as children's toys;

6. *Urges* Parties that have made use of the specific exemptions described in parts IV and V of Annex A to the Convention to accelerate efforts to prevent the export of articles that contain or may contain brominated diphenyl ethers and of articles manufactured from recycled materials that contain brominated diphenyl ethers and levels or concentrations of brominated diphenyl ethers exceeding those permitted for the sale, use, import or manufacture of those articles within their territories, in accordance with their obligations under Annex A;

7. *Urges* Parties to strengthen measures for the environmentally sound management of wastes, including products and articles upon becoming wastes, containing or contaminated with brominated diphenyl ethers in accordance with their obligations under Article 6 of the Stockholm Convention and under the Basel Convention on the Control of Transboundary Movements of Hazardous Wastes and Their Disposal, taking into consideration the updated guidance on best available techniques and best environmental practices for the recycling and waste disposal of articles containing polybrominated diphenyl ethers listed under the Stockholm Convention,³ the general technical guidelines on the environmentally sound management of wastes consisting of, containing or contaminated with persistent organic pollutants⁴ and the technical guidelines on the

¹ Hexabromodiphenyl ether and heptabromodiphenyl ether and tetrabromodiphenyl ether and pentabromodiphenyl ether, listed in Annex A to the Convention in 2009.

² UNEP/POPS/COP.8/INF/12.

³ Available at:

<http://chm.pops.int/Implementation/NIPs/Guidance/GuidanceonBATBEPfortherecyclingofPBDEs/tabid/3172/Default.aspx>.

⁴ UNEP/CHW.13/6/Add.1/Rev.1.

environmentally sound management of wastes consisting of, containing or contaminated with hexabromodiphenyl ether and heptabromodiphenyl ether or tetrabromodiphenyl ether and pentabromodiphenyl ether;⁵

8. *Decides* to undertake an evaluation of progress that Parties have made towards eliminating brominated diphenyl ethers contained in articles and a review of the continued need for specific exemptions for those chemicals at its tenth meeting, pursuant to paragraph 2 of parts IV and V of Annex A to the Convention and in accordance with the process set out in the annex to decision SC-6/3 and the schedule set out in the annex to the present decision;

9. *Encourages* Parties to collect information on the types and quantities of brominated diphenyl ethers in articles in use and in the waste and recycling stream and on measures taken to ensure their environmentally sound management pursuant to Article 6 of the Convention and, where appropriate, parts IV and V of Annex A to the Convention and to make that information available to the Secretariat;

10. *Requests* the Secretariat:

(a) To continue to support the process set out in the annex to decision SC-6/3;

(b) To undertake, subject to the availability of resources, activities to support Parties in collecting the information required for the process set out in the annex to decision SC-6/3 and in implementing measures to facilitate the elimination of brominated diphenyl ethers contained in articles;

(c) To report to the Conference of the Parties at its tenth meeting on activities undertaken pursuant to paragraphs 10 (a) and 10 (b) above, including recommendations on any modifications to the process or format for consideration and possible adoption by the Conference of the Parties.

Annex to decision SC-8/4

Schedule for the evaluation and review of brominated diphenyl ethers pursuant to paragraph 2 of parts IV and V of Annex A to the Stockholm Convention on Persistent Organic Pollutants

Activity	Timing
Parties submit information on brominated diphenyl ethers.	December 2019
The Secretariat prepares a draft report on the evaluation and review of brominated diphenyl ethers and transmits it to the Persistent Organic Pollutants Review Committee.	September 2020
The Persistent Organic Pollutants Review Committee provides comments on the draft report on the evaluation and review of brominated diphenyl ethers.	October 2020
The Secretariat finalizes the report on the evaluation for consideration by the Conference of the Parties at its tenth meeting.	October 2020
Evaluation by the Conference of the Parties in accordance with paragraph 2 of parts IV and V of Annex A to the Convention.	April 2021

⁵ UNEP/CHW.12/5/Add.6/Rev.1.