

**AMENDMENTS, ADOPTED AT PUNTA DEL ESTE ON 6 MAY 2005, TO
ADD A NEW ANNEX (ANNEX G) TO THE STOCKHOLM CONVENTION
ON PERSISTENT ORGANIC POLLUTANTS (POPs), DONE AT
STOCKHOLM ON 22 MAY 2001**

[2005] ATNIF 22

Documents tabled on 29 November 2005:

National Interest Analysis [2005] ATNIA 20

with attachment on consultation

Text of the proposed treaty action

Background information:

Current status list

NATIONAL INTEREST ANALYSIS: CATEGORY 1 TREATY

SUMMARY PAGE

Amendments, adopted at Punta del Este on 6 May 2005, to add a new Annex (Annex G) to the Stockholm Convention on Persistent Organic Pollutants (POPs), done at Stockholm on 22 May 2001

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Nature and timing of proposed treaty action

1. On 6 May 2005, the first Conference of Parties (COP1) of the Stockholm Convention on Persistent Organic Pollutants [2004] ATS 23 (Convention) adopted amendments to the Convention to add a new Annex (Annex G) in accordance with Article 18. In accordance with Article 22(3)(c) of the Convention, the new Annex G will enter into force on the expiry of one year from the date of communication by the Depositary (UN Secretary General) of the adoption of the Annex. So far, the Depositary has not issued a notification on Annex G. The notification will be issued when the Depositary receives the authentic texts of the Annex in all six UN languages. The amendment to include the new Annex G will automatically enter into force for Parties unless a notification of non-acceptance in accordance with the provisions of Article 22(3)(b) is submitted. Australia does not intend to lodge a notification of non-acceptance.

Overview and national interest summary

2. The new Annex G sets out arbitration procedures for the purpose of Article 18(2)(a) of the Convention and conciliation procedures for the purposes of Article 18(6) of the Convention. Australia welcomes the adoption of the rules on arbitration and conciliation contained in Annex G as completing the dispute settlement provisions of the Convention.

Reasons for Australia to take the proposed treaty action

3. The Stockholm Convention on Persistent Organic Pollutants [2004] ATS 23 (Convention), done at Stockholm on 22 May 2001 is a multilateral environmental treaty that aims to protect human health and the environment from Persistent Organic Pollutants (POPs). These substances are used for industrial and agricultural purposes or are by-products from industrial processes. They are environmentally persistent and hazardous to human and animal populations. For example, in humans they can cause cancer, diseases of the immune system and reproductive disorders. The main obligations of Parties to the Convention are to ban or phase out the production and use of intentionally produced POPs; to manage stockpiles of POPs wastes in an environmentally sound manner; and to reduce or where feasible eliminate releases of unintentionally produced POPs (dioxins, furans, polychlorinated biphenyls and hexachlorobenzene).

4. There are currently six Annexes to the Convention. Annexes A, B and C list persistent organic chemicals which Parties agree to eliminate (Annex A), restrict (Annex B) and which are unintentionally produced and which parties agree to minimise (Annex C). Annexes D, E and F provide procedures for dealing with chemicals proposed for listing in the first three Annexes, specifically information requirements and screening criteria (Annex D), information requirements for the risk profile (Annex E), and information on socio-economic considerations (Annex F). Annex G, which is the subject of this treaty action, elaborates on the dispute settlement procedures contained in Article 18 of the Convention and provides rules of procedure for arbitration and conciliation.

5. The Convention entered into force generally on 17 May 2004. It was signed for Australia on 23 May 2001. Australia ratified on 20 May 2004 and the Convention entered into force for Australia on 18 August 2004. As at 18 October 2005, 151 countries had signed and 111 had ratified, acceded, accepted or approved the Convention.

6. The first Conference of the Parties (COP1) of the Convention was held in Punta del Este, Uruguay, 2-6 May 2005. COP1 considered and adopted the new Annex G, which sets out arbitration procedures for the purpose of Article 18(2)(a) of the Convention and conciliation procedures for the purposes of Article 18(6) of the Convention.

7. Australia considers that dispute settlement provisions are important for providing Parties with finality and an agreed mechanism for dealing with disputes. Australia also notes, however, that recourse to arbitration and conciliation should only be made when attempts to settle disputes through negotiation or other peaceful means have been unsuccessful, as provided in Article 18(1) of the Convention.

Obligations

8. As Australia has ratified the Convention, it is already bound by Article 18 of the Convention which sets out the options for dispute settlement. It provides that disputes must be settled by negotiation or other peaceful means (Article 18(1)). If this is unsuccessful, the default method of dispute settlement is by conciliation (Article 18(6)).

9. Parties also have the option of making a declaration at any time stating that they accept as compulsory either or both arbitration (Article 18(2)(a)) or submission of the dispute to the International Court of Justice (Article 18(2)(b)). If Parties do not make a declaration, or if

Parties to a dispute have not accepted as compulsory the same means of dispute settlement, the default dispute settlement means is conciliation (Article 18(6)). Conciliation does not result in a binding decision. Referral of a dispute to the ICJ or an arbitration would result in binding decisions.

10. Australia is currently considering whether to accept one or both of these means of dispute settlement as compulsory. Until Australia makes such a declaration, it will be bound by conciliation as a means of dispute settlement.

11. Annex G will enter into force on the expiry of one year from the date of communication by the depositary of its adoption (Article 22(3)(c)). The Convention provides an opt out provision, whereby Parties may notify the depositary in writing within one year of the date of communication by the depositary of its adoption that they are unable to accept an additional annex (Article 22(3)(b)). If they do not notify the depositary within one year that they wish to opt out, they will be bound by the new Annex (Article 22(3)(c)).

12. Unless it opts out, Australia will be bound by the conciliation procedure set out in Annex G, Part II. If Australia makes a declaration accepting arbitration as a means of dispute settlement, Australia will be bound by the arbitration procedure set out in Annex G, Part I.

Implementation

13. The amendments will not require changes to legislation, domestic policy or the existing roles of the Australian Government and the State and Territory governments.

Costs

14. It is difficult to predict in advance the cost of resolving a particular dispute. In accordance with Article 18 of the Convention, negotiation would be the first step in dispute settlement. If the dispute cannot be resolved through negotiation, it would go to conciliation unless and until Australia makes a declaration under Article 18. The costs of the conciliation commission (Article 9, Part II, Annex G) or arbitration tribunal (Article 9, Part I, Annex G) will be borne by the parties to the dispute in equal shares, unless the tribunal determines otherwise in an arbitration.

Regulation Impact Statement

15. The Office of Regulation Review (Productivity Commission) has been consulted and confirms that a Regulation Impact Statement is not required.

Future treaty action

16. Article 21 of the Convention sets out the procedure for amendments to the Convention. Article 22 of the Convention sets out the procedure for adoption and amendment of annexes. Annexes form an integral part of the Convention (Article 22(1)).

17. Any additional annexes shall be restricted to procedural, scientific, technical or administrative matters (Article 22(2)). Amendments or additional annexes may be proposed by any party and must be adopted at a meeting of the Conference of the Parties. The Secretariat must communicate the text of the proposed amendment or annex to the Parties at least six months before the meeting at which it is proposed for adoption. The Parties must make every effort to agree on a proposed annex or amendment by consensus, but if they cannot, as a last

resort the amendment or annex will be adopted by a three-fourths majority vote of the Parties present and voting.

18. There are different procedures for amendments to annexes A, B, C (Article 22(4)) and Annexes D, E, and F (Article 22(5)). Additional annexes, such as Annex G, or amendments to an annex related to an amendment to the Convention shall not enter into force until the amendment to the Convention enters into force (Article 22(6)).

19. Before Australia agrees to an amendment, the domestic treaty-making process, including the development of a National Interest Analysis and a hearing by the Joint Standing Committee on Treaties (JSCOT), would be invoked.

20. If the Government decides to accept the compulsory dispute resolution mechanisms referred to in Article 18(2) and detailed in Annex G, a further National Interest Analysis and a hearing by the JSCOT would also be invoked.

Withdrawal or denunciation

21. It is not possible to withdraw from the new Annex G without withdrawing from the Convention because Annexes form an integral part of the Convention (Article 22). Article 28 provides for withdrawal from the Convention by a Party at any time after three years from the date of entry into force for that Party. Withdrawal would take effect one year from the date of receipt by the Depositary of such notification, or at any later date specified in the withdrawal notification. Australian withdrawal would be subject to the Australian domestic treaty-making process.

Contact details

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Department of the Environment and Heritage
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CONSULTATION

1. Prior to COP1, the Department of the Environment and Heritage (DEH) invited the Australian Government agencies (Departments of Agriculture, Fisheries and Forestry, Foreign Affairs and Trade, Health and Ageing and Industry, Tourism and Resources) and stakeholders (the State and Territory governments, industry and community groups listed below) to make comments on the meeting documents for COP1 including the draft rules on arbitration and conciliation to help prepare the Australian position for each agenda item. DEH informed the stakeholders via email of the website where the papers for the meeting were available.
2. DEH also invited the same organisations to participate in the Australian delegation. One representative from the National Environment Consultative Forum joined the Australian delegation but none of the States and Territory governments participated.
3. None of the stakeholders raised any concerns regarding the proposed Annex G to the Convention that was detailed in the COP1 agenda paper UNEP/POPS/COP.1/29.
4. The stakeholders consulted are listed below:

States

Department of Environment and Conservation, New South Wales
Department of Infrastructure, Planning and Environment, Northern Territory
Department of Primary Industries, Water and Environment, Tasmania
Department of the Environment, Western Australia
Environment ACT
Environment Protection Agency, Queensland
Environment Protection Authority, South Australia
Environment Protection Authority, Victoria

Industry

A3P (Australian Plantation Products and Paper Industry Council)
Australasian Cemeteries and Crematoria Association
Australian Aluminium Council
Australian Contaminated Land Consultants Association
Australian Environment Business Network
Australian Industry Group
Australian Institute of Petroleum
Australian Oil Recyclers Association
Avcare
Bioenergy Australia

Cement Industry Federation
Clean Air Society Australia New Zealand
Collex
Ecowaste Pty Ltd
Energy Supply Association of Australia
Engineers Australia
Federal Chamber of Automotive Industry
Minerals Council of Australia
Nufarm
Oil Stewardship Advisory Council
Orica Australia Pty Ltd
PACIA (Plastics and Chemicals Industries Association Inc)
Sims Group
Thiess Services
Waste Management Association of Australia

Primary Producers

Australian Chicken Meat Federation
Australian Lot Feeders' Association
Australian Pork Limited
Australian Seafood Industry Council (ASIC)
Cattle Council of Australia
Dairy Australia
Dairy Food Safety Victoria
National Farmers Federation
Sheepmeat Council of Australia
Tasmanian Salmonid Growers Association
Tuna Boat Owners Association of SA

Environment Groups

Australian Conservation Foundation
Earth Foundation
Environmental Defenders Office NSW
Greenpeace
National Environment Consultative Forum
National Toxics Network

Public Health

Australian Breastfeeding Association
Australian Local Government Association
Public Health Association of Australia
Victorian Public Health Research and Education

BACKGROUND INFORMATION

CURRENT STATUS LIST AS AT 2 NOVEMBER 2005

Stockholm Convention on Persistent Organic Pollutants Stockholm, 22 May 2001

Signatories: 151 , Parties: 111¹

The amendments to adopt a new Annex G will enter into force for all Parties to the Stockholm Convention one year after the adoption has been communicated by the depository, unless a Party has lodged a notification stating that it does not accept the adopted amendment. On the information currently available, no Parties have submitted such a notification.

Participant	Signature	Ratification, Acceptance (A), Approval (AA), Accession (a)
Albania	5 Dec 2001	4 Oct 2004
Algeria	5 Sep 2001	
Antigua and Barbuda	23 May 2001	10 Sep 2003
Argentina	23 May 2001	25 Jan 2005
Armenia	23 May 2001	26 Nov 2003
Australia	23 May 2001	20 May 2004
Austria	23 May 2001	27 Aug 2002
Azerbaijan		13 Jan 2004 a
Bahamas	20 Mar 2002	3 Oct 2005
Bahrain	22 May 2002	
Bangladesh	23 May 2001	
Barbados		7 Jun 2004 a
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	16 Jun 2004
Brunei Darussalam	21 May 2002	
Bulgaria	23 May 2001	20 Dec 2004
Burkina Faso	23 May 2001	31 Dec 2004
Burundi	2 Apr 2002	2 Aug 2005
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	20 Jan 2005
China ²	23 May 2001	13 Aug 2004
Colombia	23 May 2001	
Comoros	23 May 2001	
Congo	4 Dec 2001	
Cook Islands		29 Jun 2004 a

Costa Rica	16 Apr 2002	
Côte d'Ivoire	23 May 2001	20 Jan 2004
Croatia	23 May 2001	
Cuba	23 May 2001	
Cyprus		7 Mar 2005 a
Czech Republic	23 May 2001	6 Aug 2002
Democratic People's Republic of Korea		26 Aug 2002 a
Democratic Republic of the Congo		23 Mar 2005 a
Denmark ³	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	7 Jun 2004
Egypt	17 May 2002	2 May 2003
El Salvador	30 Jul 2001	
Eritrea		10 Mar 2005 a
Ethiopia	17 May 2002	9 Jan 2003
European Community	23 May 2001	16 Nov 2004 AA
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	23 May 2005
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	8 Nov 2004
Kazakhstan	23 May 2001	
Kenya	23 May 2001	24 Sep 2004
Kiribati	4 Apr 2002	7 Sep 2004
Kuwait	23 May 2001	
Kyrgyzstan	16 May 2002	
Lao People's Democratic Republic	5 Mar 2002	

Latvia	23 May 2001	28 Oct 2004
Lebanon	23 May 2001	3 Jan 2003
Lesotho	23 Jan 2002	23 Jan 2002
Liberia		23 May 2002 a
Libyan Arab Jamahiriya		14 Jun 2005 a
Liechtenstein	23 May 2001	3 Dec 2004
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	22 Jul 2005
Mauritius	23 May 2001	13 Jul 2004
Mexico	23 May 2001	10 Feb 2003
Micronesia (Federated States of)	31 Jul 2001	15 Jul 2005
Monaco	23 May 2001	20 Oct 2004
Mongolia	17 May 2002	30 Apr 2004
Morocco	23 May 2001	15 Jun 2004
Mozambique	23 May 2001	
Myanmar		19 Apr 2004 a
Namibia		24 Jun 2005 a
Nauru	9 May 2002	9 May 2002
Nepal	5 Apr 2002	
Netherlands	23 May 2001	28 Jan 2002 A
New Zealand ⁴	23 May 2001	24 Sep 2004
Nicaragua	23 May 2001	
Niger	12 Oct 2001	
Nigeria	23 May 2001	24 May 2004
Niue	12 Mar 2002	2 Sep 2005
Norway	23 May 2001	11 Jul 2002
Oman	4 Mar 2002	19 Jan 2005
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	1 Apr 2004
Peru	23 May 2001	14 Sep 2005
Philippines	23 May 2001	27 Feb 2004
Poland	23 May 2001	
Portugal	23 May 2001	15 Jul 2004 A
Qatar		10 Dec 2004 a
Republic of Korea	4 Oct 2001	
Republic of Moldova	23 May 2001	7 Apr 2004
Romania	23 May 2001	28 Oct 2004
Russian Federation	22 May 2002	
Rwanda		5 Jun 2002 a

Saint Kitts and Nevis		21 May 2004 a
Saint Lucia		4 Oct 2002 a
Saint Vincent and the Grenadines		15 Sep 2005 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	24 May 2005
Slovakia	23 May 2001	5 Aug 2002
Slovenia	23 May 2001	4 May 2004
Solomon Islands		28 Jul 2004 a
South Africa	23 May 2001	4 Sep 2002
Spain	23 May 2001	28 May 2004
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	5 Aug 2005
Tajikistan	21 May 2002	
Thailand	22 May 2002	31 Jan 2005
The Former Yugoslav Republic of Macedonia	23 May 2001	27 May 2004
Togo	23 May 2001	22 Jul 2004
Tonga	21 May 2002	
Trinidad and Tobago		13 Dec 2002 a
Tunisia	23 May 2001	17 Jun 2004
Turkey	23 May 2001	
Tuvalu		19 Jan 2004 a
Uganda		20 Jul 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	17 Jan 2005
United Republic of Tanzania	23 May 2001	30 Apr 2004
United States of America	23 May 2001	
Uruguay	23 May 2001	9 Feb 2004
Vanuatu	21 May 2002	16 Sep 2005
Venezuela (Bolivarian Republic of)	23 May 2001	19 Apr 2005
Viet Nam	23 May 2001	22 Jul 2002
Yemen	5 Dec 2001	9 Jan 2004
Zambia	23 May 2001	
Zimbabwe	23 May 2001	

Declarations

(Unless otherwise indicated, the declarations were made upon ratification, acceptance, approval or accession.)

Argentina

Declaration:

In accordance with article 25, paragraph 4 of the Stockholm Convention on Persistent Organic Pollutants, the Republic of Argentina declares that any amendment to Annex A, B, or C shall enter into force for Argentina only after it has deposited its instrument of ratification, acceptance, approval or accession with respect thereto.

Australia

Declaration:

"In accordance with article 25 (4) [of the Convention], the Government of Australia declares that any amendment to Annex A, B or C shall enter into force only upon the deposit of Australia's instrument of ratification with respect thereto."

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."

China

Declaration:

In accordance with the provisions of article 25, paragraph 4 of the Stockholm Convention on Persistent Organic Pollutants, with respect to the People's Republic of China, 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.

European Community

Declaration in accordance with article 25 (3) :

"The Community declares that, in accordance with the Treaty establishing the European Community, and in particular article 175 thereof, it is competent for entering into international environmental agreements, and for implementing the obligations resulting therefrom, which contribute to the pursuit of the following objectives:

- Preserving, protecting and improving the quality of the environment,

- Protecting human health,
- Prudent and rational utilisation of natural resources,
- Promoting measures at international level to deal with regional or worldwide environmental problems.

Moreover, the Community declares that it has already adopted legal instruments, binding on its Member States, covering matters governed by this Convention, and will submit and update, as appropriate, a list of those legal instruments to the Conference of the Parties in accordance with article 15 (1) of the Convention.

The Community is responsible for the performance of those obligations resulting from the Convention which are covered by Community law in force.

The exercise of Community competence is, by its nature, subject to continuous development."

Liechtenstein

Declaration:

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

Mauritius

Declaration:

"Pursuant to Article 25, paragraph 4, of the Stockholm Convention on Persistent Organic Pollutants, the Republic of Mauritius declares that any amendments to Annex A, B or C shall enter into force for the Republic of Mauritius only upon the deposit by the Republic of Mauritius of its instrument of Ratification, Acceptance, Approval or Accession with respect thereto."

Micronesia (Federated States of)

Declaration:

1. The Federated States of Micronesia declares in accordance with the provisions of article 25, paragraph 4 of the Stockholm Convention on Persistent Organic Pollutants, that any amendment to Annex A, B or C shall enter into force only upon the deposit of the Federated States of Micronesia's instrument of ratification, acceptance, approval or accession thereto.
2. The Federated States of Micronesia declares in accordance with Article 18, paragraph 2 of the Stockholm Convention on Persistent Organic Pollutants that it accepts both of the means of dispute settlement mentioned in this paragraph as compulsory in relation to any party accepting an obligation concerning one or both of these means of dispute settlement.

Republic of Moldova

Declaration:

In accordance with article 18, paragraph 2 of the Convention, the Republic of Moldova accepts both of the means of dispute settlement mentioned in this paragraph as compulsory in relation to any party that accepts the same obligation.

Pursuant to article 25, paragraph 4, of the Convention, any amendment to Annex A, B or C shall enter into force for the Republic of Moldova only upon the deposit 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."

Slovenia

Declaration:

"In accordance with article 25, paragraph 4 of the Convention, the Republic of Slovenia herewith declares, that any amendment to Annex A, B or C shall enter into force only upon the deposit of its instrument of ratification with respect thereto."

Syrian Arab Republic

Declaration:

The ratification of the Syrian Arab Republic to this Convention shall in no way signify the recognition of Israel or entail entry into any dealings with Israel in the context of the provisions of this Convention.

Venezuela (Bolivarian Republic of)

Declaration:

In accordance with article 25, paragraph 4 of the Stockholm Convention on Persistent Organic Pollutants, the Bolivarian Republic of Venezuela declares that any amendment to Annex A, B, or C shall enter into force for the Bolivarian Republic of Venezuela only after it has deposited 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 the following :

In accordance with the provisions of article 153 of the Basic Law of the Hong Kong Special Administrative Region of the People's Republic of China and article 138 of the Basic Law of the Macao Special Administrative Region of the People's Republic of China, the Government of the People's Republic of China decides that the Convention shall apply to the Hong Kong Special Administrative Region and the Macao Special Administrative Region of the People's Republic of China.

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

4. With the following territorial exclusion:

".....consistent with the constitutional status of Tokelau and taking into account the commitment of the Government of New Zealand the development of self-government for Tokelau through an act of self-determination under the Charter of the United Nations, this ratification shall not extend to Tokelau unless and until a Declaration to this effect is lodged by the Government of New Zealand with the Depositary on the basis of appropriate consultation with that territory."