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**Fourth meeting of the intersessional process considering the Strategic Approach and sound management of chemicals and waste beyond 2020 (IP4)**  
Bucharest, Romania, 29 August – 2 September 2022

## **Contributions of the Minamata Convention on Mercury to the sound management of chemicals and waste and updates on the implementation of the Convention**

### **Note by the secretariat**

1. The secretariat has the honour to circulate, in the annex to the present note, the document entitled “*Contributions of the Minamata Convention on Mercury to the sound management of chemicals and waste and updates on the implementation of the Convention*”. The document presented in the annex has been developed and submitted by the Minamata Convention on Mercury and has not been formally edited.

## **Annex: Contributions of the Minamata Convention on Mercury to the sound management of chemicals and waste and updates on the implementation of the Convention**



### **I. Background**

1. The Minamata Convention on Mercury was adopted at the Diplomatic Conference in October 2013 and entered into force on 16 August 2017, the 90<sup>th</sup> day after the date of deposit of the 50<sup>th</sup> instrument of ratification, acceptance, approval or accession. As of August 2022, 137 governments and one regional economic integration organization have submitted such instruments.

2. The objective of the Minamata Convention is to protect the human health and the environment from anthropogenic emissions and releases of mercury and mercury compounds. The preamble to the Convention starts with a recognition that mercury is a chemical of global concern owing to its long-range atmospheric transport, its persistence in the environment once anthropogenically introduced, its ability to bioaccumulate in ecosystems and its significant negative effects on human health and the environment. Its provisions cover the entire life cycle of mercury, including supply, trade, mercury-added products, industrial processes using mercury, artisanal and small-scale gold mining (ASGM), emissions to air, releases to land and water, interim storage, waste and contaminated sites.

### **II. Minamata Convention in the context of the sound management of chemicals and waste and sustainable development**

3. The objectives of the Strategic Approach to International Chemicals Management (SAICM) with regard to risk reduction include ensuring, by 2020, that chemicals or chemical uses that pose an unreasonable and otherwise unmanageable risk to human health and the environment and taking into account the costs and benefits as well as the availability of safer substitutes and their efficacy, are no longer produced or used for such uses. They also include ensuring, by 2020, that risks from unintended releases of these chemicals are minimized. Mercury is referred to as one of the groups of chemicals that might be prioritized for assessment and related studies.

4. Implementation of the Minamata Convention to reduce the human health and environmental risks and impacts of mercury is part of the global efforts for the sound management of chemicals. The Minamata Convention contributes to the Agenda 2030 for Sustainable Development that aims to ensure that all human beings can fulfil their potential in a healthy environment and to protect the planet from degradation so that it can support the needs of the present and future generations. The Convention is particularly relevant to goals 2 (Zero hunger), 3 (Good health and well-being), 5 (Gender equality), 6 (Clean water and sanitation), 8 (Decent work and economic growth), 11 (Sustainable cities and communities), 12 (Responsible consumption and production), 14 (Life below water), 15 (Life on land), 16 (Peace, justice and strong institutions) and 17 (Partnership for the goals).

5. In addition, the implementation of the Convention will contribute to the sound management of chemicals other than mercury and broader environmental and sustainable development. The following are non-exhaustive examples of how the implementation of the

Minamata Convention contributes to broader environmental and sustainable development goals and to the sound management of chemicals, including chemicals other than mercury contribution.

- a) Article 3 of the Minamata Convention controls the sources, supply and international trade of mercury and mercury compounds. Parties' efforts to close mercury mines, manage existing stocks of mercury, and regulate trade in mercury, including addressing illicit or illegal trade in mercury contribute to the better control of trade in hazardous chemicals and waste and vice versa.
- b) Article 4 controls the manufacture, import and export of mercury-added products. Addressing the use of mercury in specific products will contribute to overall improvements in environmental performance. For example, replacement of fluorescent lamps with light-emitting diode lamps will contribute to increased energy efficiency. The control of import and export of mercury-added products is related with the control of products containing other hazardous substances.
- c) Article 5 controls manufacturing processes using mercury or mercury compounds. Eliminating the use of mercury in specific industrial sectors will contribute to overall improvements in hazardous chemicals and environmental management in these sectors. For example, the conversion from mercury-cell chlor-alkali production to mercury-free membrane technologies will contribute to increased energy efficiency. Acetaldehyde and vinyl chloride monomer production using mercury or mercury compounds as catalyst is an acetylene-based process that typically uses coal as a raw material, and conversion to ethylene- or ethane-based technologies will reduce the emission of carbon dioxide.
- d) Article 7 addresses the use of mercury in artisanal and small-scale gold mining (ASGM). According to UNEP 2018 Global Mercury Assessment, mercury releases from ASGM exceeds 800 tons annually and account for 37 percent of the global mercury emissions. Formalization of such mining activities and land tenure issues combined with better environmental management in ASGM will contribute to fighting the deforestation, loss of biodiversity, erosion of ecosystem services and functions, and land degradation in and around mining areas while reducing health risks from hazardous substances. It will also contribute to poverty reduction and will help ensuring that the rights of indigenous peoples to their health, lands and territories are upheld in accordance with the United Nations Declaration on the Rights of Indigenous Peoples.
- e) Article 8 controls the emission of mercury to the atmosphere from point sources. Reducing the reliance on coal will contribute both to the reduction of mercury emissions and that of carbon dioxide and other pollutants. Technologies to reduce mercury emissions is common to those to address other air pollutants such as sulphur dioxide, nitrogen oxides, particulates and other metal species.
- f) Article 11 controls the management of mercury waste. The environmentally sound management of mercury waste, including segregation, proper handling and environmentally sound disposal, plastic waste and health care waste, is a part of sound management of chemicals and waste.
- g) Article 12 addresses the identification and management of contaminated sites. These sites are in many cases also contaminated with hazardous substances other than mercury, and therefore proper management of these sites contribute to the sound management of chemicals and waste in a broader sense.

### **III. The fourth meeting of the Conference of the Parties**

6. Due to the ongoing COVID-19 pandemic situation, the fourth meeting of the Conference of the Parties to the Minamata Convention on Mercury was organized in two segments: a first segment was conducted online within the period of 1 to 5 November 2021 and, in accordance with Decision MC-4/1 on the dates of the resumed COP-4, a second segment was conducted in-person within the period of 21 to 25 March 2022 in Bali, Indonesia. The reports of both segments are available

on the [Convention's website](#). The following decisions were adopted by the Conference at its fourth meeting (COP-4):

- a) **Review and amendment of annexes A and B to the Minamata Convention:** COP-4 conducted a review of the Convention's annexes of mercury-added products (Annex A) and industrial processes using mercury (Annex B) for phase-out/phase-down, and decided to amend Annex A to include a further eight product categories for phaseout by 2025 and two additional measures on dental amalgam. The COP further decided to consider four additional product categories at COP-5 and conduct additional work to consider strengthening measures on additional industrial processes where mercury is present. This amendment signals a strong continued commitment by parties to further strengthen global mercury – and thus international chemicals and waste – management.
- b) **Artisanal and small-scale gold mining:** COP-4 adopted the updated guidance on developing a national action plan to reduce and, where feasible, eliminate mercury use in artisanal and small-scale gold mining (ASGM), with additional and revised chapters relating to the management of ASGM tailings and health aspects. The COP called upon parties to engage indigenous peoples, local communities and other relevant stakeholders in the development and implementation of national action plans, and requested the secretariat to compile views on the needs and priorities of indigenous peoples and local communities with regard to the use of mercury in ASGM. the COP also requested the secretariat, in cooperation with the UNEP Global Mercury Partnership, to disseminate the aforementioned guidance on developing a national action plan, support its use by parties, and keep it under review.
- c) **Mercury releases:** COP-4 adopted guidance on the methodology for preparing inventories of mercury releases to land and water pursuant to paragraph 7 of article 9, and agreed on a roadmap to develop guidance on best available techniques and best environmental practices to control mercury releases.
- d) **Mercury waste thresholds:** COP-4 adopted thresholds for mine tailings. It also agreed that all tailings from artisanal and small-scale mining using mercury should be managed in an environmentally sound manner. It agreed on the steps to establish the remaining thresholds for waste contaminated with mercury or mercury compounds.
- e) **Second review of the financial mechanism:** COP-4 agreed to undertake the second review of the Convention's financial mechanism. The terms of reference for the review are set forth in Decision MC-4/7, which invites parties, intergovernmental organizations, non-governmental organizations and stakeholders to submit information, consistent with the terms of reference for the review and organized by the listed performance criteria, on their experience gained through their interactions with the financial mechanism by 30 September 2022.
- f) **National reporting pursuant to article 21 of the Minamata Convention on Mercury:** COP-4 considered the first short national reports submitted by parties and welcomed the high response rate of parties to fulfil this key legal obligation (89% of parties submitted their reports). Further detail in the decision dealt with clarifications to further strengthen and facilitate reporting efforts. In addition, COP-4 encouraged parties to submit their first full reports. The secretariat is pleased to note that 87% of parties have done so. Submitted reports are all available on the secretariat's website. Overall, besides fulfilling Article 21 provisions to report, the biennial effort of Minamata parties to prepare these reports are important national coordination activities, often involving multiple ministries, and overall lead to greater inter-ministerial engagement on chemicals and waste.
- g) **Gender mainstreaming:** COP-4 invited Parties to support the secretariat in its efforts to mainstream gender into all activities to be undertaken by the secretariat as well as by parties and other stakeholders, including thorough the development of a gender action plan for the Minamata Convention during the biennium 2022–2023.
- h) **The first effectiveness evaluation of the Minamata Convention on Mercury:**

In this decision, COP-4 recalled article 22 which calls on the COP to evaluate the effectiveness of the Convention, beginning no later than six years after entry into force, and periodically thereafter at intervals to be decided by it. The COP recognized the range of scientific and technical expertise from multiple disciplines necessary to inform the effectiveness evaluation and highlighted the need for an inclusive and transparent process that provides Parties with the opportunities to provide data and information, and to review and comment on draft plans and products.

The COP adopted the framework for the first effectiveness evaluation of the Minamata Convention, and decided to continue its consideration of effectiveness evaluation at COP-5, including the terms of reference of the Effectiveness Evaluation Group, the indicators for the evaluation, and the timeline for the first effectiveness evaluation. The COP established the Open-Ended Scientific Group to support the effectiveness evaluation process in accordance with the terms of reference outlined in Annex II to the decision. As per the framework adopted at COP-4, the following products are being prepared for consideration by COP-5: (a) article 21 synthesis report (plan and report), (b) trade, supply and demand report (plan and report), (c) plan for emissions and releases data summary, (d) plan for monitoring data compilation and summary, and (e) plan for data analysis based on the monitoring guidance.

- i) **International cooperation and coordination:** COP-4 welcomed United Nations Environment Assembly resolutions 5/7, on the sound management of chemicals and waste, and 5/8, on a science-policy panel to contribute further to the sound management of chemicals and waste and to prevent pollution, and requests the secretariat to contribute to their implementation, as appropriate. The COP also invited parties, non-parties and other stakeholders to engage further with the Global Mercury Partnership, hosted by the United Nations Environment Programme, and with its partnership areas, to support the achievement of the goals of the Convention.

The COP took note of the study entitled “Interlinkages between the chemicals and waste multilateral environmental agreements and biodiversity”, as well as the study entitled “Chemicals, wastes and climate change: interlinkages and potential for coordinated action” prepared jointly by the secretariat of the Minamata Convention and the secretariat of the Basel, Rotterdam and Stockholm conventions. The COP further requested the secretariat to continue gathering knowledge about, raising awareness of and demonstrating, through appropriate means, the contribution of the implementation of the Minamata Convention to other relevant international regulations and policies, including those related to pollution, biodiversity and climate change.

Finally, COP-4 requested the secretariat to prepare, subject to the availability of resources, a report, including possible recommendations, on how the Convention could contribute to the post-2020 global biodiversity framework, once adopted, for consideration by the Conference of the Parties at its fifth meeting.

- j) **Enhanced cooperation between the secretariat of the Minamata Convention on Mercury and the secretariat of the Basel, Rotterdam and Stockholm (BRS) conventions:** COP-4 decided, *inter alia*, to continue, with the secretariat of the Basel, Rotterdam and Stockholm conventions and under the overall steering of the task force and inter-secretariat working groups, as appropriate, to cooperate on relevant administrative, programmatic, technical assistance and technical matters, in accordance with the programme of work and budget, and to explore potential ways to further strengthen cooperation and collaboration on such matters with the secretariat of the Basel, Rotterdam and Stockholm conventions. The 2022 face-to-face segment of the meetings of the BRS COPs adopted a matching decision on the matter.
- k) **Venue and dates of the fifth meeting of the Conference of the Parties:** The Conference of the Parties decided to hold the fifth meeting of the Conference of the Parties in Geneva from 30 October to 3 November 2023.

7. The Bali Declaration on combating illegal trade in mercury was introduced by the Indonesian Presidency of the Conference of the Parties as a non-binding political declaration. The

Indonesian Presidency held several briefing sessions on the declaration prior to both segments of the fourth meeting and welcomed comments on the draft text from registered delegations. The Indonesian Presidency drew attention to the declaration during the opening plenary of the in-person segment of the fourth meeting of the Conference of the Parties in Bali, Indonesia, and invited parties to the Convention and other delegations to support it. The text of the declaration was finalized and launched by the Minister of Environment and Forestry, Ms. Siti Nurbaya Bakar, during a special event organized after the opening plenary of the in-person segment of on 21 April 2022. The declaration is included in Annex III to the [report](#) of in-person segment of COP-4.

8. The COP elected the following members of the Bureau of the fifth meeting of the COP.

President: Ms. Claudia-Sorina Dumitru (Romania)

Vice-presidents: Ms. Oarabile Serumola (Botswana)

Mr. Roger Baro (Burkina Faso);

Mr. Syed Mujtaba Hussain (Pakistan);

Dr. Saeed A. Alzahrani (Saudi Arabia)

Ms. Anahit Aleksandryan (Armenia)

Mr. Osvaldo Patricio Álvarez Pérez (Chile)

Ms. Cheryl Eugene-St.Romain (Saint Lucia)

Ms. Marie-Claire Lhenry (France)

Mr. Sverre-Thomas Jahre (Norway)

9. The COP also elected new members of the Implementation and Compliance Committee and confirmed the members of the Board of the Specific International Programme. Full lists of members of the [Committee](#) and the [Governing Board](#) are available on the Convention website.

#### **IV. Support to the implementation of the Convention**

10. Article 13 provides that each Party undertakes to provide, within its capabilities, resources in respect of those national activities that are intended to implement this Convention, in accordance with its national policies, priorities, plans and programmes. It also defines a mechanism for the provision of adequate, predictable, and timely financial resources, which includes the GEF Trust Fund and the Specific International Programme to support capacity-building and technical assistance (SIP).

11. The 8<sup>th</sup> replenishment cycle (2022-2026) of the GEF indicatively allocated USD 265 million to the implementation of the Minamata Convention, increasing funding from the 7<sup>th</sup> replenishment cycle (2018-2022) which provided USD 206 million for enabling activities (MIA and ASGM NAPs), medium-sized projects, full-sized projects and programmes. GEF-8 will launch a number of new integrated programmes, including a programme on Elimination of Hazardous Chemicals from Supply Chains.

12. The SIP has concluded three rounds of applications since 2018, with 24 projects ranging in value from \$100,000 to \$250,000 at various stages of implementation at the national level in eligible parties, for a total of approximately \$5.2 million in funding. More information is set forth in the [latest SIP update](#) to the COP and in the "[SIP Matters](#)" newsletter.