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Item 6 of the provisional agenda[1]
Any other business

The contributions of the Minamata Convention on Mercury to the sound management of chemicals and waste

Note by the secretariat

The secretariat has the honour to circulate, in the annex to the present note, the contributions of the Minamata Convention on Mercury. The document presented in the annex has been developed and submitted by the Secretariat of the Minamata Convention on Mercury to elaborate on the contribution of the Minamata Convention on Mercury to the sound management of chemicals and waste, as well as to provide further updates to document SAICM/IP.3/INF/7 presented at the third meeting of the intersessional process (IP3). It is presented as received by the Secretariat, without formal editing.

[1] SAICM/IP.4/1

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 90th day after the date of deposit of the 50th instrument of ratification, acceptance, approval or accession. As at 24 February 2020, 116 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. As such, the implementation of the Minamata Convention to reduce the human health and environmental risk of mercury is part of the global efforts for the sound management of chemicals.

4. The Minamata Convention, as a Multilateral Environmental Agreement with the aim to protect human health and the environment from the adverse effects of mercury, 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 examples of such contribution.

a) Article 3 of the Minamata Convention controls the international trade of mercury and mercury compounds. Parties' efforts to control trade in mercury and to address 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. Addressing 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 controls ASGM using mercury. Formalization and better environmental management in ASGM will contribute to fighting the deforestation and land degradation in mining areas, as well as reducing pollution by other hazardous substances such as arsenic and cyanides. It will also contribute to poverty reduction.

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, 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. Conference of the Parties

6. The Conference of the Parties (COP) met three times and took a number of decisions to implement the Convention. The first meeting of the COP was held in Geneva, Switzerland from 24 to 29 September 2017, adopting 21 decisions. The second meeting of the COP was also held in Geneva, Switzerland, from 19 to 23 November 2018, adopting 12 decisions. The outcome from these meetings are described in SAICM/IP.3/INF/7.

7. The third meeting of the COP was held in Geneva, Switzerland from 25 to 29 November 2019. The following decisions were adopted by the Conference:

a) **Review of annexes A and B**: An ad-hoc group of experts for intersessional process for reviewing annexe A (mercury-added products) and annex B (manufacturing processes in which mercury or mercury compounds are used) was established, and a road map for the review to be undertaken at the fourth meeting of the COP was agreed on. Pursuant to the decision, the Secretariat has called for submissions on the uses of mercury and on non-mercury alternatives. Submissions will be made publicly available and non-Parties and others will be invited to provide further information referred to in the submissions.

b) **Dental amalgam**: The Secretariat was requested to call for submissions on the availability, technical and economic feasibility and environmental and health risks and benefits of non-mercury alternatives, and on the implementation of any such additional measures taken by Parties related to part II, annex A of the Convention.

c) **Customs codes**: The Secretariat was requested to draft a guidance document including possible customs nomenclature codes for mercury-added products, in collaboration with the UNEP Global Mercury Partnership – Mercury in Products partnership area and involving relevant experts.

d) **Releases of mercury**: The group of technical experts was requested to continue its work to produce a report including draft guidance on the methodology for preparing inventories of releases, the proposed categories of point sources of releases and a road map for the development of guidance on best available techniques and best environmental practices.

e) **Mercury waste thresholds**: The definition of waste consisting of and containing mercury and mercury compounds was agreed upon. The mandate of the group of technical experts was extended, including the development of thresholds for waste contaminated with mercury and mercury compounds.

f) **Guidance on the management of contaminated sites**: The guidance on the management of contaminated sites pursuant to Paragraph 3 of Article 12 was adopted.

g) **First review of the financial mechanism**: The report on the first review of the financial mechanism was welcomed, and the Secretariat was requested to prepare draft terms of reference for the second review for consideration at the fourth meeting of the COP.

h) **Article 14: Capacity-building, technical assistance and technology transfer**: The Conference emphasized the relevance of using regional, subregional and national arrangements, including existing regional and subregional centres of Basel and Stockholm conventions, in the delivery of capacity-building and technical assistance. The Secretariat was requested to continue collecting and compiling any information on this matter and report to the fourth meeting of the COP.

i) **Implementation and Compliance Committee – Terms of reference and Template for written submissions from parties with respect to their own compliance**: The terms of reference for the Implementation and Compliance Committee was adopted, and the Conference approved the template for written submissions from Parties with respect to their own compliance.

j) **Arrangements for the first effectiveness evaluation of the Minamata Convention on Mercury**: Parties were invited to submit views on the proposed indicators for evaluating the effectiveness of the Convention. The Conference also requested the Secretariat to advance the work by securing services for drafting guidance on monitoring, Article 21 synthesis report and the report on trade, supply and demand including mercury waste flows and stocks.

k) **Enhanced cooperation between the Secretariat of the Minamata Convention and the secretariat of the Basel, Rotterdam and Stockholm conventions**: The Executive Secretary of the Convention was requested to set up, with the secretariat of the Basel, Rotterdam and Stockholm conventions and under the overall steering of the joint task force of the UNEP Chemicals and Health Branch and the two secretariats, inter-secretariat working groups to cooperate on relevant administrative, programmatic, technical assistance and technical matters.

l) **Programme of work and budget for the biennium 2020-2021**: The Conference approved the budget for the General Trust Fund for the biennium 2020-2021, and adopted the indicative scale of assessment for the apportionment of relevant expenses. It also took note of the estimates for the Special Trust Fund for the biennium 2020-2021.

m) **Guidance for Completing the National Reporting Format**: The Secretariat was requested to prepare draft guidance for the full national reporting format to clarify the information being sought.

8. The COP elected the following members of the Bureau of the fourth meeting of the COP. It had its first meeting by teleconference on 3 February 2020.

President:	Ms. Rosa Vivien Ratnawati (Indonesia)
Vice-presidents:	Ms. Oarabile Serumola (Botswana)
	Mr. Roger Baro (Burkina Faso);
	Mr. W.T.B. Dissanayake (Sri Lanka);
	Ms. Anahit Aleksandryan (Armenia)
	Mr. Karmen Krajnc (Slovenia);
	Ms. Angela Rivera (Colombia)
	Ms. Bethune Morgan (Jamaica)
	Ms. Alison Dickson (Canada)
	Ms. Marie-Claire Lhenry (France)

IV. Parties' action to Implement the Convention

9. Pursuant to Article 21, each Party shall report on the measures it has taken to implement the provisions of the Convention, on the effectiveness of such measures and on possible challenges in meeting the objectives of the Convention. The first meeting of the COP agreed that short reports be submitted biennially starting in December 2019, and that full reports be submitted every four years starting in December 2021. As of 24 February 2020, 83 reports have been received. The Secretariat is awaiting 31 reports. This reflects a reporting rate of 72.8% for the reporting period.

10. Pursuant to paragraph 4 of Article 17, each Party shall designate a national focal point for the exchange of information under the Convention. As at 23 January 2020, 101 out of 117 parties had

nominated their national focal points. The list of national focal points is available on the Convention website.[2]

11. Article 7 provides that parties that notified the Secretariat that ASGM in its territory is more than insignificant shall submit ASGM National Action Plans (NAPs). The Global Environment Facility (GEF) has provided supports to 35 countries for the preparation of ASGM NAPs. Two parties have already submitted their NAPs.

12. The GEF has provided support to parties and other developing countries and countries with economies in transition to develop a Minamata Convention Initial Assessments (MIAs) in order to identify domestic mercury challenges and the extent to which existing legal and regulatory frameworks enable a country to implement future obligations under the Convention. It has supported 111 countries to develop MIAs and as of 24 February 2020, 50 countries have submitted MIA reports.

V. Support to the implementation of the Convention

13. 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).

14. The 6th replenishment cycle (2014-2018) and the 7th replenishment cycle (2018-2022) of the GEF indicatively allocated USD 141 million and USD 206 million respectively to the implementation of the Minamata Convention. The GEF supports the enabling activities (MIA and ASGM NAPs), medium-sized projects, full-sized projects and programmes. One important example of the programmatic approach is planetGOLD[3], in which USD 45 million was granted to address the use of mercury in ASGM in Burkina Faso, Colombia, Ecuador, Guyana, Indonesia, Kenya, Mongolia, Peru and the Philippines.

15. The information on the first and second round of applications for SIP can be found in SAICM/IP.3/INF/7, and also on the Convention website[4]. The estimated expenditure for the projects selected during the first and second rounds of applications to the Specific International Programme is $1,087,000 and $1,974,164 over the duration of the projects respectively.

VI. Status of Contributions to the Minamata Convention

16. Pursuant to the financial rules of the Convention, three trust funds have been established: a General Trust Fund, a Special Trust Fund and a Specific Trust Fund.

17. Regarding the General Trust Fund, for 2019, assessed contributions amount to $3,288,621. As at 31 December 2019, the sum of $2,930,468, comprising 89.10 per cent of the total, had been received.

18. Regarding the contributions to the Special Trust Fund for the biennium 2018–2019, as at 31 December 2019, a total of $2,771,960 had been received. Contributors to the Special Trust Fund for 2018 and 2019 are: Austria, the European Union, Finland, France, Japan, Norway, the Philippines, Sweden and Switzerland. The approved budget for the special trust fund for the biennium 2018–2019, not including programme support costs, is $5,980,000, with a realized budget (funds raised) of $2,771,960, including programme support costs, and projected expenditure of $2,174,097.

19. Regarding the Specific Trust Fund for the Specific International Programme for the biennium 2018–2019, as at 31 December 2019, a total of $3,667,964 was received for the first (2018) and second (2019) rounds of applications. Contributors to the Specific Trust Fund are: Austria, Denmark, France, Germany, the Netherlands, Norway, Sweden, Switzerland, the United Kingdom and the United States. For the third round of applications to the Specific International Programme, $817,987 was pledged from five donors as of 9 December 2019.

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[2] http://www.mercuryconvention.org/Countries/Parties/FocalPoints/tabid/7708/language/en-US/Default.aspx
[3] https://www.planetgold.org/
[4] http://www.mercuryconvention.org/Implementation/SpecificInternationalProgramme/tabid/6334/language/en-US/Default.aspx