

Provisions of the Minamata Convention on products and processes, emissions and releases, and ASGM

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MINAMATA CONVENTION ON MERCURY



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Mercury added products (Article 4) Processes using mercury (Article 5) Exemptions (Article 6)

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Products - Provisions

- Parties **shall not** allow manufacture, by taking appropriate measures, the import or export of mercury-added products in part 1 of Annex A after the phase out date - except for exemptions (Article 6, Exemptions available to a Party on request);



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Provisions, cont'd

As an alternative to para 1, a Party **may** indicate that: **will** implement different measures or strategies to address products in part 1 of Annex A. Parties can choose this option if they can demonstrate that they have;

- already reduced to a *de minimus* level the manufacture, import or export of the large majority of products listed in Part I Annex A **and**;
- Implemented measures and strategies to reduce use of Hg in additional products not listed in Part I Annex A, at time of notification.

Note that any Party choosing this option **shall**:

- report measures to the CoP at the first opportunity (para 2a);
- Undertake 2b, c & d
- ❑ CoP as part of Annex A review process (para 8) **shall** review progress and effectiveness of measures above.



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Provisions, cont'd

Parties **shall**:

- take measures for products in Part II of Annex A (para 3);
 - take measures to prevent inclusion into assembled products of those products above (para 5);
 - Discourage the manufacture and distribution in commerce of Hg+ products not covered by any known use of Hg+ products prior to the date of entry into force of the Convention for it (para 6); unless environmental and health benefits.
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- Parties **may** propose new products and the Conference of the Parties can review Annex A



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What are we aiming to achieve ?

- Phase out of Hg+ products listed in Annex A Part I by specified date; or
- Reduce to a *de minimus* level manufacture, import or export of Hg+ products listed in Annex A Part I;
- Measures to phase down of Hg+ products listed in Annex A Part II;
- Discourage new Hg+ products, unless environmental or human health benefits;



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Processes Provisions

- Parties **shall not** allow use of mercury or mercury compounds in processes listed in part 1 of Annex B after the phase out date - except for exemptions (para 2);

Manufacturing processes using mercury or mercury compounds	Phase-out date
Chlor-alkali production	2025
Acetaldehyde production in which mercury or mercury compounds are used as a catalyst	2018

- Parties **shall** take measures to restrict the use of mercury or mercury compounds in the processes listed in Part II of Annex B in accordance with the provisions listed (para 3);

Provisions, cont'd

- Parties with 1+ facilities using processes listed in Annex B shall take measures to address emissions and releases, and identify facilities and report (para 5);
- No new facilities to be built that include processes listed in Annex B after entry into force of the Convention;
- Parties shall discourage the development of facilities that use other manufacturing processes in which Hg or Hg compounds are intentionally used (noting exception);
- Parties may propose new processes and the Conference of the Parties can review Annex B

Exemptions (Article 6)

- Parties may register for exemptions from the phase-out date listed in Annex A (Hg+ products) and Annex B (processes), stating Party's need for the exemption (para 1);
- Unless indicated in the register by a Party, all exemptions shall expire five years after the relevant phase-out date;
- The CoP may, at the request of a Party, decide to extend an exemption for five years, taking into account justification by the Party and available information on mercury-free alternatives;
- No Party may have an exemption in effect at any time after 10 years after the phase-out date



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Artisanal and small-scale gold mining (Article 7)

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Provisions

- Parties with ASGM **shall** take **measures** to reduce, and where feasible eliminate, the use of mercury and mercury compounds and the emissions and releases of mercury and mercury compounds to the environment (para 2);



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Provisions

- Parties **shall** notify the secretariat if they determine that they have ASGM in their territory which is more than insignificant, and then;
 - develop a national action plan (Annex C);
 - submit it to the Secretariat;
 - review the plan every 3 years and add into reporting to CoP;



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Provisions, Annex C

Parties shall include in its national action plan:

- National objectives & reduction targets (para 1a);
- Actions to eliminate unsound practices (para 1b);
- Steps to facilitate formalization or regulation (para 1c);
- Baseline estimates on Hg used and practices (para 1d);
- Schedule for implementation of NAP (para 1k);
- Strategies (paras e – j);
- Additional strategies (para 2);

NB. Annex C explicitly calls for a public health strategy, which encompasses health surveillance, health care worker training and awareness raising.



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Cross cutting entry points

Parties **may cooperate** with each other and relevant IGOs & other entities to achieve objectives of the article, including (para 4 a-f).

- Strategies to prevent diversion of Hg to ASGM (para 4a);
- Education, outreach & capacity building (para 4b);
- Promote research (para 4c);
- Technical and financial assistance (para 4d);
- Partnerships (para 4e);
- Information exchange (para 4f).



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Emissions and releases (Article 8 and Article 9)

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Overview

- Each Article contains definitions of key terms
- Emissions:
 - Controls on existing sources
 - Controls on new sources
- Releases
 - Identify relevant point sources
 - Take action within 3 years
- Inventory required for both emissions and releases
- COP shall agree on a range of guidance, and review and update this as needed.



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Do I have emissions ?

See Annex D, point source categories;

- Coal-fired power plants;
- Coal-fired industrial boilers;
- Smelting and roasting processes used in the production of non-ferrous metals;
- Waste incineration facilities;
- Cement clinker production facilities



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Provisions on emissions

- Parties with relevant sources (Annex D) **shall** take measures to control emissions. **May** prepare a national plan, which shall be submitted to the COP
- For **new sources** BAT/BEP are required no later than 5 years after entry into force of the Convention for that Party

Provisions on emissions

- For **existing sources**, Parties shall use one or more of a list of measures no more than 10 years after entry into force of the Convention for it:
 - Quantified goal
 - Emission limit value
 - BAT/BEP
 - Multi-pollutant control strategy that would deliver co-benefits for reduction of mercury
 - Alternative measures

Whatever measures used should achieve reasonable progress in reducing emissions over time.



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Provisions on releases

- Parties shall use one or more of a list of measures :
 - Release limit values
 - Use of BAT/BEP
 - Multi-pollutant control strategy that would deliver co-benefits for reduction of mercury
 - Alternative measures to reduce releases

Whatever measures used should achieve reasonable progress in reducing releases over time.

Inventory on emissions and releases

Each Party must establish an **inventory** of emissions and releases from relevant sources **within 5 years** of entry into force of the Convention for it;

Each Party **must report** on emissions and on releases, particularly on measures and their effectiveness

Conference of the Parties

For emissions, at its first meeting:

- Adopt guidance on BAT / BEP;
- Support Parties in implementing para 5, in particular determining goals and ELVs;

As soon as practical:

- criteria pursuant to para 2 (identification of relevant sources)
- methodology for preparing inventories of emissions

For releases as soon as practical:

- Adopt guidance on BAT / BEP;
- methodology for preparing inventories of emissions



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www.mercuryconvention.org

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Annex A Part I

Mercury-added products	Date after which the manufacture, import or export of the product shall not be allowed (phase-out date)
Batteries, except for button zinc silver oxide batteries with a mercury content < 2% and button zinc air batteries with a mercury content < 2%	2020
Switches and relays, except very high accuracy capacitance and loss measurement bridges and high frequency radio frequency switches and relays in monitoring and control instruments with a maximum mercury content of 20 mg per bridge, switch or relay	2020
Compact fluorescent lamps (CFLs) for general lighting purposes that are ≤ 30 watts with a mercury content exceeding 5 mg per lamp burner	2020

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Annex A Part I (cont'd)

Linear fluorescent lamps (LFLs) for general lighting purposes: (a) Triband phosphor < 60 watts with a mercury content exceeding 5 mg per lamp; (b) Halophosphate phosphor ≤ 40 watts with a mercury content exceeding 10 mg per lamp	2020
High pressure mercury vapour lamps (HPMV) for general lighting purposes	2020
Mercury in cold cathode fluorescent lamps and external electrode fluorescent lamps (CCFL and EEFL) for electronic displays: (a) short length (≤ 500 mm) with mercury content exceeding 3.5 mg per lamp (b) medium length (> 500 mm and ≤ 1 500 mm) with mercury content exceeding 5 mg per lamp (c) long length (> 1 500 mm) with mercury content exceeding 13 mg per lamp	2020
Cosmetics (with mercury content above 1 ppm), including skin lightening soaps and creams, and not including eye area cosmetics where mercury is used as a preservative and no effective and safe substitute preservatives are available ^{1/}	2020
Pesticides, biocides and topical antiseptics	2020
The following non-electronic measuring devices except non-electronic measuring devices installed in large-scale equipment or those used for high precision measurement, where no suitable mercury-free alternative is available: (a) barometers; (b) hygrometers; (c) manometers; (d) thermometers; (e) sphygmomanometers.	2020

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Annex B

Part I: Processes subject to Article 5, paragraph 2

Manufacturing processes using mercury or mercury compounds	Phase-out date
Chlor-alkali production	2025
Acetaldehyde production in which mercury or mercury compounds are used as a catalyst	2018

Part II: Processes subject to Article 5, paragraph 3

- Vinyl chloride monomer production
- Sodium or potassium methylate or ethylate
- Production of polyurethane using mercury containing catalysts

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