

Ref: MC/COP4/2021/29

30 April 2021

Subject: Proposal by Canada and Switzerland to amend Annex A: Part I to the Minamata Convention on Mercury to be considered by the Conference of the Parties at its fourth meeting.

Dear Madam/Sir,

The purpose of this letter is to communicate to the Parties and the Signatories to the Minamata Convention on Mercury, the text of amendments to Annex A to the Convention as proposed by Canada and Switzerland.

For Annex A: Part I, three entries are proposed for inclusion, and one existing exemption is proposed to be removed.

The proposal is put forward for consideration by the Conference of the Parties at its fourth meeting, which is scheduled to take place in two parts, the online segment from 1 to 5 November 2021 and the resumed in-person segment in the first quarter of 2022 in Bali, Indonesia. This letter is being sent in accordance with paragraph 2 of Article 26, which provides that the text of any proposed amendment to the Convention is to be communicated to the Parties by the Secretariat at least six months before the meeting at which it is proposed for adoption. The proposal is to be considered at the resumed in-person segment in the first quarter of 2022.

Annex I to this letter sets out the proposal to amend Annex A to the Convention by Canada and Switzerland. Annex II to this letter sets out the text of an explanatory note on the proposal in accordance with paragraph 7 of article 4.

To facilitate discussion at the fourth meeting of the Conference of the Parties, Parties may wish to share comments or questions regarding the amendment proposal with the representative of the Government of Canada and with the Secretariat. Please send your comments by email to:

Secretariat of the Minamata Convention on Mercury
Email: mea-minamatasecretariat@un.org

and

Ms. Jamie Knill
Senior Physical Science Specialist
Environment and Climate Change Canada
Government of Canada
Email: jamie.knill@canada.ca

Should you require additional information or clarification, please do not hesitate to contact the Secretariat.

Yours sincerely,



Monika Stankiewicz
Executive Secretary



To: National Focal Points for the Minamata Convention on Mercury
Signatories to the Minamata Convention on Mercury

Cc: Governments through their official channels of communication to the UN Environment Programme
Permanent Missions to the UN Environment Programme and to the UN in Geneva
Depositary of the Convention, United Nations Office of Legal Affairs



Annex I

Proposal by Canada and Switzerland to amend Annex A: Part I to the Minamata Convention on Mercury

The Minamata Convention takes a lifecycle approach to achieving the objective of protecting human health and the environment from anthropogenic emissions and releases of mercury and mercury compounds. This approach includes requiring Parties to not allow the manufacture, import, or export of certain mercury-added products listed in Part I of Annex A with exemptions for essential uses where no feasible mercury-free alternatives are available.

The products currently listed in Part I of Annex A were the result of Intergovernmental Negotiating Committee meetings held between 2010 and 2013. According to paragraph 8 of article 4, the annex shall be reviewed by the Conference of the Parties no later than five years after the date of entry into force.

A review process was initiated at the third meeting of the Conference of the Parties held in November 2019 in decision MC-3/1. The decision included the establishment of an ad hoc expert group and invited Parties to submit information on mercury-added products and their alternatives. Through this process, Canada submitted information on a number of mercury-added products and their alternatives as did many other Parties. In consideration of the submissions made by others and the feedback of the ad hoc expert group, Canada and Switzerland are proposing to add three new items to Part I of Annex A and remove the existing exemption for "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".

Rationale for the proposed amendments

Considering the information collected through Canada's domestic reporting on import and manufacture as well as information provided by the ad-hoc expert group, there appear to be technically and economically feasible mercury-free alternatives to mercury-containing counter balancers (tire balancers/wheel weights), photographic film and paper, and propellant for satellite and spacecraft. While these products are not widely used, adding them to Annex A would help to prevent their re-emergence, or in some cases, introduction as new uses.

In the case of removing the 20 mg maximum content limit for high accuracy capacitance and loss measurement bridges and high frequency radio frequency switches, we understand that these products are no longer used in the majority of parties. Should there still be a need for highly specialized uses of these switches and relays, and feasible mercury-free alternatives are not available, it is expected that these specialized uses would still be allowed as they would fall under the exclusions in paragraph (c) in the chapeau of Annex A.

Canada and Switzerland propose a phase-out date of 2025 for these products to allow time for parties to put in place relevant domestic requirements, if needed.

Proposal for new entries into Annex A: Part I: Products subject to Article 4, paragraph 1:

Mercury-added products	Date after which the manufacture, import or export of the product shall not be allowed (phase-out date)
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Counter balancing devices including tire balancers and wheel weights	2025
Photographic film and paper	2025
Propellant for satellites and spacecraft	2025
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	2025



Annex II

Further explanatory note from Canada and Switzerland regarding the proposed amendment to Part I of Annex A of the Minamata Convention

Information on availability, technical and economic feasibility, environmental and health risks and benefits of non-mercury alternatives

Pursuant to paragraph 7 of article 4, the following compilation documents presented by the ad hoc group of experts on Review of Annexes A and B, which includes information submitted from Parties and other stakeholders, enriched and organized by experts, were taken into account in drafting the amendment proposal by Canada and Switzerland.

Regarding the proposal on counter balancing devices including tire balancers and wheel weights, photographic film and paper:

Supporting document: compilation_06_other_non_electronic_products

http://www.mercuryconvention.org/Portals/11/documents/meetings/COP4/submissions/compilation_06_other_non_electronic_products.pdf

Regarding the proposal on propellant for satellites and spacecraft:

Supporting document: compilation_09_satellite_propulsion

http://www.mercuryconvention.org/Portals/11/documents/meetings/COP4/submissions/compilation_09_satellite_propulsion.pdf

Regarding the proposal on 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:

Supporting document: compilation_02_switches_and_relays

http://www.mercuryconvention.org/Portals/11/documents/meetings/COP4/submissions/compilation_02_switches_and_relays.pdf