

**Information Session on the Intersessional work on products and processes
Tuesday 7 July 2020, 10h-11h and 16h-17h CEST
Summary of questions and answers**

The following summarizes the responses that the Secretariat of the Minamata Convention provided to the questions raised at the information session. It also includes responses to some questions that were not responded to during the session, and some other supplementary information.

Session 1: 10h-11h CEST

Review of Annexes A and B

Q: There are five exclusions (a)-(e) in Annex A, and exclusion (d) is on products used in traditional or religious practices. In some countries, mercury is used for traditional medicines. Can studies be done for mercury use in traditional medicines?

A: The Global Mercury Supply, Trade and Demand report by UNEP in 2017 mentions cultural/ritual uses in Latin America and the Caribbean, traditional uses in Chinese medicine and cultural/religious uses in India, although the amounts of use are not well known.

Q: Has the ad hoc group decided on the schedule for the group calls planned in September and October?

A: The group will meet again in mid-July to discuss the schedule of the sub-group calls and upcoming meetings. Note that these group calls are members and invited observers only.

Q: Mercury use in metal plating is not included in the current Convention, but it is found to be the major sources of mercury releases in Nepal, according to the MIA 2019 report. What would be the process of addressing this issue? Is there any possibility to include this in Annex A of the Convention?

A: Parties were invited first to submit information on processes using mercury, and non-parties were invited to submit further information. Both deadlines were extended until 31 July, Nepal as non-party may submit information, which the ad hoc group will consider.

Dental amalgam

Q: Do the Parties have access to a template for preparing their submissions on dental amalgam?

A: Parties may submit information on non-mercury alternatives to dental amalgam in any format, and may use similar structure that is set out in the templates for review of Annexes. The ad hoc group of experts on review of Annexes A and B has agreed to support the Secretariat in compiling submitted information as requested by COP in its decision MC-3/2.

Customs codes

Q: Is there any examples of mercury-added products not listed in Annex A, for which customs codes are to be established?

A: The Secretariat is not aware of any example.

Q: Dental amalgam should also have a unique HS code, and this will assist in identifying diversion of mercury to the ASGM sector. What would be the mechanism to have dental amalgam included in the HS codes?

A: The comment will be considered in the development of COP-4 document.

Other questions

Q: What is the stance of Convention on parties who have ratified but don't fully comply with the Convention?

A: The Convention has a facilitative compliance mechanism including the Implementation and Compliance Committee.

Session 2: 16h-17h CEST

Review of Annexes A and B

Q: I would appreciate if someone could explain briefly the process that uses mercury in polyurethane so that we can determine whether some revision or amendment needs to be introduced regarding this process.

A: Some polyurethane manufacturing process uses mercury catalyst for coatings, adhesives, sealants and elastomers. EU submission includes some technical details.

Q: What is the process and provision in MC of testing mercury residues in a product that has been produced using mercury based process? is there any association with mercury trade to it?

A: Annex A currently does not include products manufactured in a process using mercury, except for intentional addition on mercury or mercury compounds in the products.

Q. What is the mechanism adopted by MC in regulating online marketing of mercury containing products?

A: It is the obligation of Parties to control import and export of mercury-added products, including those of online-marketed products. We are aware of the implementation and enforcement challenges and capacity needs related to this.

Q: What are the remaining seats in the ad hoc group of experts? From which countries have experts been nominated in Latin America and the Caribbean?

A: Central and Eastern Europe and Latin America/Caribbean have still to nominate one expert each. The current members from Latin America and the Caribbean have been nominated by Argentina, Guyana and Peru.

Dental amalgam

Q: After countries and others group have submitted their information on alternatives to dental amalgam, what will be the next step? Is it that we will wait for COP 4 to establish another group to work on dental amalgam? Or will the actual group on annex A & B review will work of the dental amalgam process? What will be the final destination of the report made by the secretariat on this question?

A: The report will be submitted to COP-4 for its consideration, and we cannot prejudge the outcome of the discussion at COP-4. Parties may also use the information in considering the submission of a proposal to amend Annex A, and COP may use the report in deliberating on such proposals.

Q: Do we have sharing of emerging innovations in alternatives to dental amalgam?

A: Information on the alternatives to dental amalgam is currently being collected and compiled as requested by COP in its decision MC-3/2.

Q: How about best practices in mercury pollution from small dental practices? We observed an issue after units were introduced that the absence of a service supplier in handling separated mercury prevented the implementation. Also the added unit brought in a challenge to the establishment in maintaining and operations.

A: Measures to be taken under Part II of Annex A includes the use of best environmental practices in dental facilities to reduce releases of mercury and mercury compounds. UNEP has published some information materials on dental amalgam, available from the Global Mercury Partnership [website](#).

Q. How we can stop trading of dental amalgam from the country who ban it in their own country but exporting to other country?

A: There is no provision of the Convention that controls the international trade of dental amalgam, although Parties may control it if needed.

Other questions

Q: What is the role of WTO in adoption of any Chemical Standards (e.g. Hg) by any particular nation? Do the Country needs permission and /or consensus of WTO while enacting any standards of Chemical in Products?

A: The Secretariat is not aware of specific WTO rules on mercury. WTO has, for example, the agreement on technical barriers to trade which recognizes that no country should be prevented from taking measures necessary to ensure the protection of human health or the environment.

Q: I would like to know if is it still 31 July the deadline for sending inputs on the monitoring guidance for effectiveness evaluation? Where can we find that document to be commented?

A: The draft annotated outline of the monitoring guidance is available from the [web page](#) on intersessional work, under the tab "Effectiveness Evaluation".

Q: In my country, there is an interest in re-processing gold mining solid residues from mineral processing. Is it in the plans of the Convention to regulate these activities? Are they to be considered in the standards?

A: The [guidance document](#) on the development of national action plans on artisanal and small-scale gold mining pursuant to Article 7 includes some guidance on the management of ASGM tailings including the recovery of gold from them, and the Secretariat is cooperating with the Global Mercury Partnership in updating the guidance as requested by COP in its decision MC-3/5.

Q: How do you plan for the problem of obsolete products? Is there a strategy from the Convention? There are many countries that do not have technology for treatment.

A: End-of-life mercury-added products are recognized as waste containing mercury or mercury compounds under Article 11, which provides that Parties should manage such waste in an environmentally sound manner taking into account the guidelines under the Basel Convention. These guidelines describe how such waste should be managed.

Q: Is there any party who has domesticated the Minamata Convention on Mercury in their national laws which Botswana can borrow from, because we are currently developing the Pollution Protection Bill?

A: Some Parties submitted information on the implementation of the Convention when they became Parties, pursuant to Article 30(4). Submissions are available from the [website](#). Two Parties have submitted a [national implementation plan](#) pursuant to Article 20. [Minamata Initial Assessments](#) also include information taken by Parties.

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