

EXECUTIVE SUMMARY

EEB/ZMWG Conference towards phasing out mercury added products: Steps and tools towards establishing a phase out strategy in Africa

May 24th-25th, Nairobi, Kenya



Phasing out Mercury in products

The Minamata Convention bans many mercury-added products by 2020

Government, manufacturers, traders and communities working together to develop a roadmap towards a zero-mercury market place



The Minamata Convention on Mercury is a global treaty whose objective is to protect human health and the environment from the adverse effects of anthropogenic releases of mercury and mercury compounds. It was adopted in 2013, and came into legal force on August 16th, 2017. The European Environment Bureau (EEB), together with partner organisations of the Zero Mercury Working Group (ZMWG), held an African regional conference in Nairobi, Kenya, on 24th-25th May, 2017 to assist countries implement various aspects of the Convention.

The project and regional conference

To promote the effective implementation of the Convention, the EEB/ZMWG is carrying out a three year projectⁱ to assist four African countries with meeting some of their obligations. Work in Nigeria and Mauritius focuses on phasing out mercury-added products; in Tanzania and Ghana the project assists with developing the National Action Plan (NAP) on Artisanal and Small Scale Gold Mining (ASGM). The project team includes both international and African national NGOs.

In collaboration with UN Environment, the EEB/ZMWG, organised a week-long series of workshops, to share project results and to facilitate regional capacity building. These workshops focused on phasing out mercury-added products and on reducing mercury use in ASGM. In total, 71 representatives from Environment and Mining ministries from 29 African countries and Jamaica, five UN bodies and special agencies, 2 intergovernmental organisations, 13 NGOs, as well as academics, private sector representatives and consultants participated in the workshops. This summary describes the results of the mercury added products workshops.



The requirements of the Convention on Phasing out mercury-added products

Article 4 of the Convention requires Parties to follow provisions on listed mercury-added products by 2020, including, but without being limited to, a ban on most mercury-added batteries, switches and relays, measuring devices, cosmetics, biocides and pesticides, to follow mercury content standards for some types of fluorescent lamps and to phase down dental amalgam. A Party may register for a 5 year exemption, as per Article 6.

Key outcomes

The workshops started with a day and a half hosted by EEB/ ZMWG focusing on the development of country strategies towards phasing out mercury-added products. Phasing out mercury-added products is a priority area for the region, since Africa is a net importer of mercury-added products that generally enter the informal waste stream at the end of their life, often resulting in the haphazard release of mercury to the environment. Case studies from Nigeria and Mauritius were presented, highlighting a menu of steps that can be taken not only by governments but also NGOs, UN agencies and other stakeholders for phasing out mercury-added products. The different steps were elaborated upon through highlighting the importance of country-specific laws, and examining the market transition to Convention compliant products.

This EEB/ZMWG conference was followed by an awareness raising and knowledge sharing meeting of the UN Environment Global Mercury Product Partnership for the African region. This one-day partnership meeting focused on assisting government officials develop their own draft country road maps for phasing out mercury added-products, using a checklist developed by the ZMWG. It further provided additional country case study examples. In a key development, representatives of the Chinese manufacturing sector presented their plans for shifting toward mercury-free products in the health care sector.

The key results from the EEB/ZMWG products' meeting are presented below.

A treaty overview of product requirements was presented along with the role of the UN Environment Global Mercury Partnership in supporting the Convention. Presentations on mercury-added products and their Convention compliant alternatives raised considerable interest among delegates who suggested that additional information needs to be circulated more widely, especially regarding their procurement. A list of such alternatives is being compiled by UN Environment, and once completed it will be distributed accordingly. Civil society underlined the need for fostering a greater demand for mercury-free product alternatives, particularly for the region. As an example, procurement was identified as one of the most important steps towards phase out of mercury added medical devices in South Africa.

A mixed panel of civil society, UN officials and country delegates presented their experience in linking **Minamata Initial Assessments (MIA)** with **mercury-added products phase out work** in Mauritius and Nigeria. Overall, strong synergies between the three bodies provided for good cooperation and efficient use of resources. The participation of civil society was encouraged by UN bodies as they can often provide a greater focus on product phase outs and a diverse but complementary perspective to that of governments.

A centre-piece of the workshops was the presentation of a draft ZMWG **"checklist" for phasing out mercury-added products** under the Convention.

The draft checklist includes the following elements:

- (a) Stakeholder engagement strategy;
- (b) Situation assessment;
- (c) Capacity building and strengthening needs; and
- (d) Project Deliverables.

The elements of the checklist were then further elaborated via the pilot work carried out in Nigeria and Mauritius and those countries shared their experiences. As background, the World Health Organization and Health Care Without Harm document was presented, related to key-considerations and guidance on developing national strategies for mercury free healthcare; it was suggested as a key tool for countries to review. A case study on how the draft checklist could be utilised to develop steps a country (e.g. Nigeria) could take to phase out mercury added products was also presented.

Throughout, it was emphasized that **stakeholder engagement** is important in building support for banning mercury-added products, including awareness raising. Targeted stakeholders included different ministries and agencies, manufacturers, traders, importers, distributors of products as well as customs, whose role was considered important in terms of enforcement. When looking at a **situation assessment**, various considerations including developing **a legal gap analysis and draft laws** need to be addressed. For example, legal authorities necessary to implement Article 4 may be found in multiple sources and fall under different legal frameworks and ministries' jurisdiction.

A study on exploring the possibilities of a national market transition to Convention compliant products for Mauritius was presented, further complementing the national MIA Inventory work and highlighting useful information and challenges, including the difficulty in obtaining data from traders and their lack of awareness on the Convention. Overall, given the widespread availability of mercury free and/or Convention compliant products in the national market, the study generally showed that Mauritius, as one example, could in principle be able to meet the treaty phase out requirements by 2020, although certain specific product issues remain to be addressed.

Delegates further reflected on **regional perspectives** and in particular how to integrate action on mercury into their work on Sustainable Development Goals and at the Africa Ministerial Conference on the Environment.

As a follow up to the work during the EEB/ZMWG conference, and under the auspices of the UN Environment Global Mercury Partnership, country delegates also prepared a **working draft national roadmap** to phase out mercury-added products, using the draft checklist presented the previous day.

In summary, the EEB/ZMWG conference raised awareness and shared information, lessons learned, practical procedures and experiences through and among countries about the various steps to consider in developing a strategy for phasing out mercury added products. The meeting also contributed to the cooperation between the African and the Caribbean region, since two representatives from the latter attended as well and expressed interest in further collaborations related to phasing out mercury -added products under the Convention.

Products workshops' Participants

Ministry of Environment: Botswana, Burkina Faso, Burundi, Central African Republic, Chad, Republic of Congo, Cote d'Ivoire, Djibouti, Ethiopia, Gabon, Gambia, Ghana, Guinea, Jamaica, Lesotho, Madagascar, Mauritius, Mozambique, Niger, Nigeria, Senegal, Seychelles, Sierra Leone, Swaziland, Tanzania, Togo, Uganda, Zambia, Zimbabwe.

UN Bodies/Regional Center/IGOs: UNDP, UN Environment, UNIDO & the Basel Convention Regional Centre for Training and Technology for the Caribbean, Africa Institute and the African Union.

NGOs: Agenda for Environment and Responsible Development (Tanzania), African Center for Environmental Health/Jeunes Volontaires pour l'Environnement (Cote d'Ivoire), Center for Environmental Justice and Development (Kenya), European Environmental Bureau (Belgium), Mercury Policy Project (USA), Centre de Recherche et d'Education pour le Développement (Cameroon), Friends of the Nation (Ghana), groundWork (South Africa), National Association of Professional Environmentalists (Uganda), Pesticides Action Network Mauritius (Mauritius), Sustainable Research and Action for Environmental Development (Nigeria), Zero Mercury Working Group (Belgium), World Alliance for Mercury Free Dentistry (USA).

Others: China Association for Medical Devices Industry (CAMDI), Peking University School of Stomatology, University of Mauritius.

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ⁱ This project *Contributing to the preparation/implementation of the Minamata Convention on Mercury, with a focus on developing strategies for phasing out mercury-added products and on reducing mercury use in Artisanal and Small Scale Gold Mining through development of National Action Plans, in four African countries*" (July 2014- December 2017) is funded by the European Commission DG Development and Cooperation (EC DEVCO) via the Food and Agricultural Organization of the United Nations (FAO), as part of a program on Capacity Building Related to Multilateral Environmental Agreements (MEAs) in Africa, Caribbean and Pacific (ACP) countries, phase 2. (ACPMEAs2).