



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

African Regional Conference

Phasing out mercury added products:
Steps and tools towards establishing
a phase out strategy in Africa

May 24th-25th, 2017, Nairobi, Kenya

FINAL REPORT

December 2017



European Environmental Bureau (EEB)
Zero Mercury Working Group (ZMWG)
Boulevard de Waterloo 34, B-1000 Brussels, Belgium
Tel.: +32 (0) 2 289 1090 – Email: eeb@eeb.org
Website: www.eeb.org / www.zeromercury.org
An international non-profit Association
The EEB is a member of Accountable Now
EC register for interest representatives:
Identification number 06/ 98511314-27

December 2017

Compiled by:

Anita Willcox, European Environmental Bureau – Zero Mercury Working Group

Editors:

Elena Lymberidi- Settimo, European Environmental Bureau (EEB)

Michael Bender, Mercury Policy Project (MPP)

French translation:

Ms. Leticia Baselga
leticia Baselga@yahoo.com

Layout design:

Anita Willcox, European Environmental Bureau – Zero Mercury Working Group

Funded by:



- The 'Capacity Building related to Multilateral Environmental Agreements in Africa, Caribbean and Pacific countries' Programme, Phase 2, of the European Union, via the Food and Agricultural Organization of the United Nations.
- The LIFE programme of the European Union

This communication reflects the authors' views and does not necessarily reflect those of the donors.

EEB/ZMWG Conference towards phasing out mercury added products:

Steps and tools towards establishing a phase out strategy in Africa

May 24th-25th 2017

Nairobi, Kenya

FINAL REPORT

December 2017



Contents

Introduction and background.....	3
Key outcomes	4
Agenda.....	6
Conference presentations and discussions	7
1. Overview of the Minamata Convention and its product requirements.....	7
2. Mercury added products and their Convention compliant alternatives.....	8
3. Sharing experiences: Linking Minamata Initial Assessments with mercury-added products phase out work.	10
4. Checklist for phasing out mercury-added products under the Minamata Convention	11
5. Global Overview of mercury free healthcare/ WHO guidance reference.....	13
6. Case Study: Draft Roadmap for Nigeria from an NGO perspective.....	15
7. Panel Discussion: Stakeholder’s engagement in building support for banning mercury-added products-including raising awareness	17
8. Developing a legal gap analysis related to the Art. 4 as per the Convention requirements.	20
9. Study on transition to Mercury Free/ Convention compliant products.....	24
10. Exercise: Participants prepare a draft national roadmap to phase out mercury added products.	27
Annexes	29
Annex 1 - Annex A of Minamata Convention	29
Annex 2 – ZMWG Checklist towards phasing out mercury added products.....	31
Annex 3 – Executive summary from the study “A review of the status of products in compliance with the Minamata Convention on mercury, in Mauritius”, by Shailand Gunnoo, November 2017	35
Annex 4 – UN workshop concept note and agenda	37
Pictures	40
Participants List	41

Introduction and background

The Minamata Convention on Mercury (“the Convention”) 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 entered 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

To promote the effective implementation of the Convention, the EEB/ZMWG is carrying out a three year project to assist four African countries with meeting some of their obligations as Parties to the Convention. The project is entitled **“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). It 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 its program on Capacity Building Related to Multilateral Environmental Agreements (MEAs) in Africa, Caribbean and Pacific (ACP) countries, phase 2 (ACP MEAs 2).

The project has seven partner nongovernmental organizations (NGOs). The project coordination team is composed of the Mercury Policy Project (MPP- US), National Resource Defense Council (NRDC-US), groundWork (South Africa) and the European Environmental Bureau (EU). Four NGOs in 4 African countries are the main proponents of the project. Work in Mauritius and Nigeria, with Pesticides Action Network Mauritius (PANEM-Mauritius) and Sustainable Research and Action for Environmental Development (SRADev - Nigeria) focuses on mercury product phase out work. In Tanzania and Ghana, AGENDA for Environment and Responsible Development (Agenda-Tanzania) and Friends of the Nation (FoN- Ghana) have been assisting their respective governments in the development of their National Action Plans (NAP) on reducing mercury use in Artisanal Small Scale Gold Mining (ASGM).

The regional forum

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, two intergovernmental organisations, 13 NGOs, as well as academics, private sector representatives and consultants took part in the workshops. This report 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, and to follow mercury content standards for some types of lamps. A Party may register for a 5 year exemption, as per Article 6 to these provisions. In addition, Article 4 also requires Parties to phase down dental amalgam

Key outcomes

The workshops started with a day and a half meeting 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.

An 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 available Convention compliant alternatives and 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, through government product bans and related initiatives. As an example, procurement was identified as one of the most important pre-treaty 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, a 2015 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**. 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, the study generally showed that Mauritius, could in principle be able to meet the treaty phase out requirements by 2020, given the widespread availability of mercury free and/or Convention compliant products, 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 fostered information sharing, 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 meetings 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.

Agenda

WORKSHOP DAY 1		
13:30 -14:00	Registration	
14:00- 14:30	Opening session welcoming remarks	<u>Presenters:</u> Elena Lymberidi-Settimo, European Environmental Bureau (EEB) ; Desiree Narvaez, UN Environment Chemicals and Health Branch
14:30-14:50	Project Overview	<u>Presenter:</u> Elena Lymberidi-Settimo, EEB
14:50 – 15:00	Overview of the Minamata Convention and its product requirements	<u>Presenter:</u> Desiree Narvaez, UN Environment Chemicals and Health Branch
15:00-15:30	Mercury added products and their Convention compliant alternatives - Q & A	<u>Facilitator:</u> Michael Bender, Mercury Policy Project(MPP) <u>Presenter:</u> Rachel Kamande, Zero Mercury Working Group
15:50-16:40	<u>Panel discussion:</u> Sharing experiences: Linking Minamata Initial Assessments with mercury-added products phase out work.	<u>Facilitator:</u> Rico Euripidou, groundWork <u>Panelists:</u> <ul style="list-style-type: none"> • Olubunmi Olusanya, Min. of Environment – Nigeria; • Rajiv Beedassy - Min. of Environment Mauritius; • Satyajeet Ramchurn, United Nations Development Programme; • Oluyomi Banjo, United Nations Industrial Development Organization; • Leslie Adogame, Sustainable Research And Action For Environmental Development (SRADev) –Nigeria; • Hemsing Hurrinag, Pesticides Action Network (PANeM)- Mauritius.
16:40 – 17:30	Checklist for phasing out mercury-added products Under the Minamata Convention Global overview of mercury free healthcare/ WHO guidance reference Case Study: Draft roadmap for Nigeria from an NGO perspective - Q & A	<u>Facilitator/Presenter:</u> Michael Bender, MPP <u>Presenter:</u> Rico Euripidou, groundWork <u>Presenter:</u> Leslie Adogame, SRADeV
17:30	Closure of the day	
WORKSHOP DAY 2		
09:30 -10:45	Welcome to Day 2 Panel Discussion: Stakeholder's engagement in building support for banning mercury-added products- including raising awareness	<u>Facilitator:</u> Elena Lymberidi-Settimo, EEB <u>Panelists:</u> <ul style="list-style-type: none"> • Leslie Adogame, SRADeV Nigeria; • Hemsing Hurrinag, PANeM Mauritius; • Griffins Ochieng, Centre for Environment Justice and Development – CEJAD -Kenya; • Dominique Bally, Jeunes Volontaires pour l'Environnement – JVE -Ivory Coast,
11:00-11:45	Developing a legal gap analysis related to the Art. 4 as per the Convention requirements	<u>Presenters:</u> Elena Lymberidi-Settimo, European Environmental Bureau I; Shivani Georgijevic, University of Mauritius.
11:45-12:30	Study on transition to Mercury free/ Convention compliant products	<u>Presenter:</u> Shailand Gunnoo, Consultant to PANeM
14:00 – 16:30	<u>Exercise:</u> Participants prepare a draft national roadmap to phase out mercury added products. Discussion on outcomes from breakout sessions	<u>Facilitators:</u> Elena Lymberidi-Settimo, European Environmental Bureau; Michael Bender, Mercury Policy Project
16:30	Conference Summary: conclusions and laying the ground for the following day	<u>Presenter:</u> Elena Lymberidi-Settimo, EEB
17:00	Closure of conference	

Conference presentations and discussions

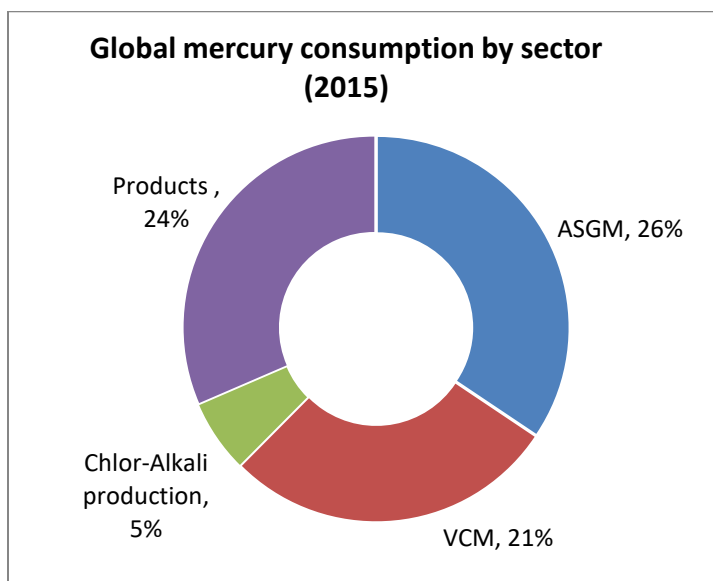
1. Overview of the Minamata Convention and its product requirements

(Presentation by Desiree Narvaez, UN Environment Chemicals and Health Branch.)

Mercury-added products (MAPs) are addressed under Article 4 of the Minamata Convention: All Parties to the Convention shall not allow for the manufacture, import or export of mercury-added products that are listed in Part I of Annex A after the phase-out date of 2020.¹ Parties may register for an extension of maximum five years to achieve a phase out of manufacturing, imports and exports of mercury added products. The five years are applicable from the date of entry into force of the Convention and are not bound to the date of when a country became a Party to the Convention. Other provisions under Article 4 are all related to strategies towards discouraging use and where possible phasing out, or phasing down, the use of mercury-added products.

In addition to the provisions of the Convention, more information on mercury-added product can be obtained from the Interim Secretariat of the Minamata Convention and the Global Mercury Partnership (GMP). The GMP is open to all stakeholders that share the partnership's goals. Members (currently 147 partners, 8 intergovernmental agencies, 107 civil society/ industry/ individuals) benefit from a network of experts, policy makers and donors and receive assistance coordinating global and regional projects.

In terms of global mercury demand and consumption, products are the second largest sector after Artisanal and Small Scale Gold Mining (ASGM), representing 24% of global mercury consumption. There is a great need for conducting further research on the use of mercury in different product, as well as promoting and emphasizing the need for a greater demand of alternative products.



Source: UN Environment (2017). Global Mercury Supply, Trade and Demand

¹ See Annex for complete list of products subject to the manufacture, import and export ban after 2020, listed in Annex A of the Convention.

2. Mercury added products and their Convention compliant alternatives

(Facilitator: Michael Bender, MPP. Presentation by Rachel Kamande, ZMWG.)









According to Annex A of the Minamata Convention, the following mercury-added products must be phased out by 2020:

- Batteries, except for button zinc silver oxide and button zinc air batteries with a mercury content lower than 2%. Zinc air batteries are mostly used in hearing aids, ear implants and pagers. Silver oxide batteries are most often used in watches, clocks, calculators, games and cameras.
- Switches and relays, with the exception of high accuracy requirements, high frequency radio or monitoring and control instruments, with a maximum mercury content of 20 mg per bridge, switch or relay.
- Compact fluorescent lamps (CFLs) of 30 watts or greater with a mercury content exceeding 5 mg per lamp burner.
- Linear fluorescent lamps (LFLs) – a) triband phosphor great than 60 watts and a mercury content exceeding 5 mg per lamp. b) Halophosphate phosphor 40 watts or higher with a mercury content exceeding 10 mg per lamp.
- High pressure mercury vapour lamps (HPMV).
- Mercury in cold cathode fluorescent lamps and external fluorescent lamps (CCFL and EEFL) for electronic displays
- Cosmetics containing above 1ppm of mercury (Including skin lightening soaps, creams and lotions).
- Pesticides biocides and topical antiseptics.
- Non electronic measuring devices: barometers, hygrometers, manometers, thermometers, sphygmomanometers.

Other requirements address a phase down of dental amalgam – Annex A, Part II of the Minamata Convention.

Many countries have executed a full or partial phase out on mercury added products banned by the Convention, often starting with phasing out mercury in health care. The more countries that ban products, the more likely markets are to respond, and over time it is expected that economies of scale will increase availability and decrease costs of Convention compliant and mercury-free alternatives.

Some alternatives devices and products include:

<p>Aneroid Barometer</p> 	<p>Aneroid Sphygmomanometer</p> 
<p>Digital Thermometer</p> 	<p>Digital Barometer</p> 
<p>Digital Manometer</p> 	<p>Sure-Temp Thermometer</p> 
<p>Lighting Emitting Diodes (LED light bulbs)</p> 	<p>Mercury free dental filling materials</p> 

Discussion:

Participants addressed issues related to the acquisition of Convention compliant and mercury-free alternative products and the potential for rejection of alternatives in certain fields (medical and dental). Skin lightening products were addressed as they continue to be a significant regulatory challenge in many countries.

- Gabon, Togo, Mercury Policy Project (MPP) and groundWork commented on the need for more information regarding alternative products in order to increase demand. Action is also needed on blocking imports of mercury added products, and simultaneously shifting demand towards alternatives. The African region needs to focus on replacing mercury-added products, seeing as they do not have the capacity to adequately collect and manage discards.

- The United Nations Industrial Development Organization (UNIDO) stated that in order to implement Article 4 of the Convention the approach needs to start from supply and demand. There is a need to include an analysis on products in the Minamata Initial Assessments (MIAs). Country delegates emphasized the challenges faced in convincing medical practitioners of the reliability of alternatives and expressed the need for further information.
- One of the issues identified is related to illegal imports of cosmetics with high mercury levels. Studies have found mislabeling of soaps and creams and the harmful substances measured. Many countries also face challenges enforcing the ban on these products due to illegal imports or manufacturing. Raising awareness is key to reducing exposure.
- Gabon, Nigeria, Jamaica and the Africa Institute also discussed the issue of skin lightening creams. Both Nigeria and Gabon are aware of the availability of such products but don't have the capacity to measure how much mercury they contain. With the help of Jeunes Volontaires pour l'Environnement (JVE- Ivory Coast), they found products that contained mercury oxide. Yet they require further information on how to logistically proceed with banning them. The Africa Institute advised against banning products without the regulatory capacity to test for mercury, and that skin lightening products carry a sensitive cultural background in many regions. The information that is transferred to politicians in terms of banning products has to be practical, as their positions are at stake. In Jamaica, a ban on skin lightening products has given fruit to an informal, seemingly uncontrollable industry for the products.
- MPP introduced a new ZMWG campaign on skin lightening products which recognizes that developing countries need assistance in measuring the presence of mercury in products. Assistance from international agencies was viewed as a possibility to assist in elevating awareness and delivering the tools that developing countries need.

3. Sharing experiences: Linking Minamata Initial Assessments with mercury-added products phase out work.

(Facilitator: Mr. Rico Euripidou, groundWork. Panelists: Mr. Olubunmi Olusanya – Min. Of Environment, Nigeria; Mr. Rajiv Beedassy – Ministry of Environment, Mauritius; Mr. Satyajeet Ramchurn UNDP; Mr. Oluyomi Banjo, UNIDO; Mr. Leslie Adogame, Sustainable Research and Action for Environment Development (SRADev), Nigeria; Mr. Hemsing Hurrinag, Pesticides Action Network (PANeM), Mauritius).

This panel discussion included individual accounts from panelists in linking the MIA to phasing out of mercury added products:

Mauritius

In Mauritius, an analysis of over 90 mercury added products was conducted under the structure of the Minamata Initial Assessment (MIA), which is funded by the Global Environmental Facility (GEF). Pre-established relationships between the government, international organization and civil society established a level of trust for the collaboration between stakeholders. The Biodiversity Research Institute was hired by the United Nations Development Program (UNDP) country office as the international consultant for the MIA. As UNDP had established contact with PANeM through the National Chemicals Profile, PANeM was granted a position on the steering committee and benefited from trainings on the products toolkit organized by the Ministry of Environment. All three stakeholders had positive experiences working with one another in the implementation of the MIA.

Nigeria

Similar to the experience in Mauritius, pre-existing relationships between the government, civil society and international organization established a foundation based on trust for the execution of the MIA. UNIDO emphasized that they played an advisory role in the MIA and encouraged the participation of civil society in the process as they can provide a complementary perspective to that of the government. SRADeV's own work program had synergies with the MIA and was able to complement the process and partake in it directly as a member of the steering committee. Thanks to collaboration between stakeholders, Nigeria is almost ready to ratify the Minamata Convention.

Discussion:

Groundwork opened the floor by asking participants to think about what steps countries need to take in order to implement Article 4 of the Convention. Participants exchanged information about the overall coordination of the MIA. Specifically, the discussion centered around participation of civil society in the MIA steering committees, the extraction of information from traders and awareness raising, including:

- In Zambia, stakeholder engagement required awareness raising in order to get buy-in from the government. It was also the case in Nigeria, that despite the fact that the MIA was reviewed at every stage by national stakeholders, awareness raising was necessary with the media, academic bodies and policy sectors. However, Nigeria reported fewer coordination challenges due to the synergies between stakeholders.
- MPP requested information regarding approaches towards the engagement and awareness raising amongst the trader distribution sector. Experiences from Mauritius revealed that traders were not all that responsive and are not likely to provide information. This was the case even though the Ministry of Environment informed them that the market they dealt with would soon disappear, as the government was implementing a global mandate.
- The Africa institute emphasized the need for governments to allow space for co-chairing the steering committees and suggested delegating responsibilities to the private sector and NGOs to co-chair, thereby optimizing resources.

4. Checklist for phasing out mercury-added products under the Minamata Convention

(Facilitator/ Presenter: Mr. Michael Bender, MPP)

The African region was congratulated for being a leader in the Minamata ratification process (19 countries total, by that time). In order to successfully complete the provisions under Article 4, a proposed checklist was presented by the ZMWG that countries can use to phase out mercury added products. The checklist/ roadmap includes:

1. Development and implementation of a stakeholder engagement strategy;

- Secure financial, technical and informational cooperation as needed from relevant agencies/organization and stakeholders

- Identify relevant ministries/stakeholders, form structure to facilitate project input/ coordination (ie Products Advisory Committee – PAC).
- Determine roles, responsibilities, timeline, etc. for moving forward between relevant ministries (Ministries of Environment, Health, Trade)
- Hold PAC inception meeting, identify implementation/ data needs, set project goals, specify the sequence and timing of project milestones.
- Establish mechanisms for conducting outreach and obtaining input as project progresses
- Facilitate stakeholder review and input on project work products

2. A situation assessment;

- Conduct inventories, or otherwise obtain data on manufacture and trade, as needed.
- Assess availability, efficacy of Convention compliant products/ devices for use by 2020
- Assess existing institutional capacity to support product phase-out activities
- Review areas such as: information reporting and data platforms, product testing and compliance evaluation, trade monitoring, training of relevant officials, enforcement
- Conduct a legal gap analysis for addressing mercury-added products
- Develop a legal framework to phase out products either via legislation and/or trade bans.

3. Address capacity building and strengthening needs;

- Create information platform as needed to implement a strategy to meet Convention reporting obligations
- Identify lab testing needs for strategy implementation and secure financial/technical assistance
- Training of personnel (e.g. Customs)
- Identify target populations for strategy implementation
- Improve hazard and risk communication initiatives
- Improve occupational health and safety standards and practices for handling mercury
- Foster data gathering management and information sharing on mercury- free products
- Establish a method for determining mercury levels in products, calibration, validation, etc.
- Promote a reduction in illegal transboundary trade in mercury-added products

Key Project Deliverables.

- Define roles and responsibilities of ministries in Article 4 implementation
- Develop new legal authorities as needed, reflecting the alignment of implementation responsibilities for each of the relevant ministries.

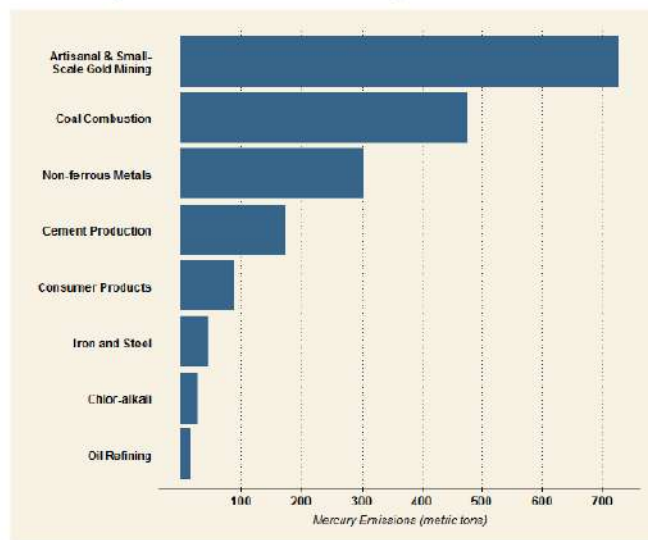
- Determine whether, and for which product(s) registration for an exemption under Article 6 is needed.
- Identify priorities for filling institutional gaps/capacity needs and sources of potential technical and financial support available to fill the gaps.
- Identify target populations for hazard and risk communication initiatives related to priority products of concern in the country
- Improve occupational health and safety standards and practices for handling mercury, as needed.

5. Global Overview of mercury free healthcare/ WHO guidance reference

(Presenter: Mr. Rico Euripidou, groundWork)

- Among anthropogenic mercury emissions, consumer products contribute almost 200 metric tons of mercury emissions per year.

Estimated global anthropogenic mercury emissions by source, 2010



Source: 2013 Global Mercury Assessment

- The following are a list of direct sources of anthropogenic mercury emissions from the health care sector:

Mercury Sources in Health Care

- Direct Uses
 - Devices
 - Thermometers, Sphygmomanometers
 - Gastro-intestinal tubes
 - Dental Amalgam
 - Laboratory Chemicals
 - Medication
 - Lighting
 - Compact fluorescent lamps
 - Switches and Relays
 - Thermostats eg in stoves, washing machines, fridges
 - Tilt switches in vehicles, level switches
 - Batteries
- Indirect Uses
 - Fossil Fuels
 - Boilers, incinerators, etc
 - Electricity used (coal-fired power stations)



A starting point for countries to begin to tackle mercury in their health care sector is to conduct an assessment of health-care waste management programs. Most releases of mercury from the health care sector come from disposal of mercury added products and the incineration of medical waste. Health-care facilities may be responsible for as much as 5% of all mercury released into wastewater. The World Health Organization's guide² for phasing out mercury in health care is recommended as a tool for countries to implement their own national mercury reduction strategies.

As a component of the UN Environment Product Partnership, the World Health Organization and Health Care Without Harm set a goal in 2008 to phase out demand for mercury-containing fever thermometers by at least 70% and promote a shift in the production of all mercury-containing fever thermometers and sphygmomanometers to accurate, affordable and safer non-mercury alternatives. In order to implement this goal, five strategic target areas were established:

1. International guidance on accuracy
2. Awareness raising and mobilization of the health care sector in order to shift demand.
3. Model policy development and catalytic activities to shift demand at global, regional, national, state and municipal levels.



²WHO report, Developing national strategies for Phasing out Mercury Containing thermometers and sphygmomanometers in healthcare, including in the context of the Minamata Convention on Mercury. http://www.who.int/ipcs/assessment/public_health/WHOGuidanceReportonMercury2015.pdf

4. Support proper management of mercury waste in health care settings
5. Shift product procurement to accurate and affordable mercury-free alternatives.

This strategy has been implemented in various countries to foster a mercury free health care system (e.g. Philippines – 2008, Argentina – 2009, Chile- 2011, Mongolia – 2011, Taiwan, USA, Sweden, The Netherlands, Denmark and Cuba). As more countries ban mercury added products, the markets for health care products have responded and increased the availability of alternatives.

6. Case Study: Draft Roadmap for Nigeria from an NGO perspective

(Presenter: Leslie Adogame, SRADev Nigeria)

SRADeV presented their role in utilizing the checklist to develop a roadmap for phasing out mercury added products in Nigeria. The items in the previously listed checklist (discussed above) were applied to the following components of a Nigerian roadmap:

Development and implementation of an action plan

- Extensive consultation was carried out with the Ministry of Environment to identify other stakeholders relevant to Article 4 obligations.
- After consulting with appropriate ministries a Products Advisory Committee (PAC) of 11 members was formed: Ministry of Environment (chair), Health, Trade, Science & Technology (FMST), Nigerian Environmental Standards and Regulatory Agency (NESREA), National Agency for Food and Drugs Administration Commission (NAFDAC), Nigeria Customs Service (NCS), Manufacturers Association of Nigeria (MAN), Institute of Public Analysts of Nigeria (IPAN), NGO. 1 expert.
- The PAC inception meeting took place in order to develop the workplan.
- Roles and responsibilities for different ministries were established through inception workshops and key partners and stakeholders were identified – Government, Academia, NGOs, Private sector, etc.
- Mechanisms for outreach and obtaining input were presented in several sector awareness workshops for trade union groups, health care stakeholders (specifically connected to the use of dental amalgam), and NGOs respectively.

A situation Assessment

- An overview of the national status of mercury added products was conducted through a study conducted by a national consultant.
- A legal gap analysis was conducted to address mercury added products.
- An assessment was conducted to determine the existing national institutional capacity to support mercury-added product phase-out activities related to the Minamata Initial Assessment (MIA).

Address Capacity building and strengthening needs

- Establishment and training of a National Inventory Working Group.
- Conduct inventories (level 1 and 2) of mercury-added products, including manufacture and trade.
- The Inventory Sector Working Group used the results of the initial inventory to expand further their work by requiring all establishments governed by existing regulations to submit

in detail the types and quantities of mercury-added products that they use. The following products were identified for certain stakeholders:

- Environment sector specific products:
 - Batteries, switches/ relays, barometers, hygrometers, manometers, Lighting
 - Stakeholders: Ministry of Environment, FMST, Federal Ministry of Industry, Trade & Investment (FMITI), NESREA, Standards Organisation of Nigeria (SON), Consumer Protection Council (CPC), Nigerian Ports Authority (NPA), NCS
- Health Ministry and health care sector
 - Thermometers and Sphygmomanometers – Efficacy and calibration
 - Mercury in cosmetics
 - Topical antiseptics
 - Dental amalgam – phase down/ out steps
 - Stakeholders: Ministry of Health and health care sector stakeholders, NAFDAC, NDA, CPC, NPA, NCS
- Agricultural products sector stakeholders
 - Pesticides
 - Biocides
 - Stakeholders: Agricultural Ministry/ agencies and sector stakeholders, Crop Life Nigeria, NPA, NCS
- Power and lighting products sector industry
 - Work with the lighting product industry for the ongoing development of lamps that contain less or no mercury, have longer product life and facilitate their availability in the market.
 - Stakeholders: Ministry of Power, FMST, SON, Energy Commission of Nigeria (ECN)
- A program for capacity building of personal that is responsible for sound management of mercury-added products in Nigeria is required (Environment officers, Law enforcement officers, dental officers, customs officers, legal officers, etc)

Key Project Deliverables

- In order to establish a program for testing mercury levels in products, calibration, validation, etc the following activities were established:
 - Disclosure of mercury content in lamps exceeding 5mg (reporting by lighting manufacturers or importers)
 - Mercury-added products that enter the country to be monitored, and mercury content established
 - Ensure that alternative products, processes, or input materials do not pose greater risk than mercury considering the overall life cycle of the materials, products, or processes

- Procure services for the development and establishment of the national database (online)
- Conduct inventories and assure harmonization of national products testing capacities
- Product Standards – FMITI, FMST, SON, MAN, NCS, Academic/ Research Institutes, IPAN
- o Preparations for the drafting of product laws
 - Identifying key steps and players involved in facilitating adoption of legislation allowing for the establishment of an adequate timeline.
 - NESREA, Federal Parliament, State Houses of Assembly
- o Public education and awareness
 - Create and implement educational programs in all levels
 - Organize awareness raising events for all stakeholders
 - Promote information sharing via the Federal Ministry of Information and Culture (FMIC), National Orientation Agency (NOA), media, NGOs, etc.

Discussion:

- The African Union elaborated on the potential complementary work being carried out by the African Union regarding waste management workshops. The African Union is working with 29 countries on the ratification of the Convention, but a challenge in this work has been their visibility. The African Union underlined that they are seeking out ways for further cooperation.
- Both groundWork and MPP welcomed the possibility to collaborate in the future together. MPP underlined the importance of focusing future activities in the direction of phase out, rather than on waste management, as the most efficient and cost effective approach.

7. Panel Discussion: Stakeholder’s engagement in building support for banning mercury-added products-including raising awareness

(Facilitator: Mrs. Elena Lymberidi-Settimo, EEB. Panelists: Mr. Leslie Adogame, Sustainable Research and Action for Environment Development (SRADeV), Nigeria; Mr. Hemsing Hurrynag, Pesticides Action Network (PANeM), Mauritius; Mr. Griffins Ochieng, Centre for Environment Justice and Development-CEJAD, Kenya; Mr. Dominique Bally, Jeunes Volontaires pour l’Environnement (JVE), Ivory Coast.

The panelists presented their experiences in engaging stakeholders in their respective countries. Though their activities all follow the same checklist structure, the experiences vary from country to country:

SRADeV- Nigeria

The relevant stakeholders from government, private and civil society were contacted to build support for banning mercury-added products. Ministries and government agencies included: Ministries of Environment, Health, Industry, Trade and Investment, Science and Technology, Nigerian Environmental Standards and Regulatory Agency (NESREA), National Agency for Food and Drugs

Administration Commission (NAFDAC), Nigeria Customs Service, Standards Organization of Nigeria, Consumer Protection Council (CPC). Private sector included professional bodies (Manufacturers Association of Nigeria -MAN, IPAN), industry traders, importers and users, along with civil society members and additional consultants.

Challenges were encountered on various fronts: There was an overall lack of awareness and lack of data on mercury added products; a duplication of roles and an unhealthy rivalry among ministries and agencies. The awareness raising component of the project addressed key policy and decision makers through: the workshop with the PAC, the mercury-added product (MAP) stakeholders' inception workshop, the MAP sectoral awareness raising workshops (manufacturers, importers, distributors and users of products) and the civil society/ NGO network – MAP strategy workshop.

PANeM – Mauritius

The project partners and collaborators included: PANeM, the EEB/ZMWG, the Ministry of Environment and Sustainable Development and UNDP. The main activities involved familiarizing partners with the scope of the study, the set up of the PAC, a desktop study of previous reports done on mercury management, research on the status of mercury free / convention compliant products in Mauritius, establishing contact with several stakeholders (relevant ministries, health, education, industry, commerce and the Mauritius Standards Bureau), drafting and distributing questionnaires to traders of mercury free/convention compliant products and dental professionals and meeting with the MIA team and consultants.

Awareness raising was conducted with the use of a Lumex (ambient air mercury analyzer) amongst Higher Secondary Schools, Women's Associations, Social Welfare and Community Centers, Community based organizations and remote coastal villages.

CEJAD – Kenya

The criteria established to identify project stakeholders considered relevant government institutions and agencies (Ministry of Environment, Ministry of Health, National Environment Management Authority (NEMA), Kenya Bureau of Standards, Kenya Revenue Authority (Customs department); the existing membership of the MIA project steering committee and relevant proactive institutions (either from the private sector (Kenya Association of Manufacturers, Retail Trade Association of Kenya) or NGOs (Environmental Compliance Institute, Consumer Information Network) willing to contribute actively to MAP phase-out.

The role of the stakeholders is to assess the country needs by advising the Minamata focal point, and exchanging available information (e.g. customs provided Kenya's import data on products, NEMA provided available regulations to be reviewed). Notably, some of the challenges faced in engaging stakeholders were that there was low awareness regarding the Convention and its relation to mercury added products. Furthermore, bureaucracy and protocols led to slow endorsements and delayed participation of officers in activities.

Awareness raising activities were conducted through the media (radio, and social media), stakeholder workshops and face to face meetings. There was a positive NGO recognition due to their active role in chemicals management and convention implementation.

JVE- Ivory Coast

Stakeholders were identified on the basis of domestic circumstances related to mercury-added products and included public, private and NGO stakeholders. Ministries and government agencies included: Ministries of Environment, Health, Industry and Mines, Trade and Budget; National Programme of Chemicals Management, General Directorate of Hygiene, Health and Environment

(DHSE), National Bureau of Standards (CODINORM) General Directorate of Exterior Trade (DGCE), General Directorate of Customs (DGD). Private sector and NGO stakeholders included: House of Trade and Industry and cosmetics manufacturers (NPG and SIVOP) and the SAICM Focal point of NGOs (NGO ISE POP CI). All stakeholders shared a role in gathering data from relevant departments, influencing policies to obtain relevant regulations to advance the ban on mercury-added products and educating populations on mercury-free products use.

Some challenges were encountered, particularly regarding obtaining data: The cosmetics industry did not participate, and departments often lacked data and were burdened by bureaucracy. Solutions were therefore developed to address these challenges: Reports were submitted to the government regarding industry behavior, including changes in the products that were included in the study (from thermometers to batteries) and the use of the Lumex device to show quantitative evidence and raise awareness (particularly with dentists and government institutions).

Discussion:

The participants discussed the above presented experiences. Discussions focused on topics regarding partnering with customs, the need to revise HS tariffs codes to include mercury added products and the challenges in producing a good communications strategy around mercury added products.

- The Basel Convention Regional Center for the Caribbean, Nigeria, Ethiopia, Zambia, SRADeV, CEJAD and UNIDO exchanged experiences regarding the engagement of Customs in addressing the phase out of mercury added products. Customs is a very important partner, as they gather relevant data and control the flow of mercury added products into a country. Nigeria and Ethiopia defined Customs as a gap area in their MIAs for further training. SRADeV and UNIDO underlined the importance of having the local governments take ownership of the training as this legitimizes the process. Zambia and Kenya shared experiences in adapting their Customs curriculum to include environmental issues (e.g. ozone depleting substances). It was also suggested that training Customs officials in differentiating between mercury added from mercury-free products should take place as soon as an officer is posted to the environment department within Customs.
- A consultant for PANeM, and Zambia addressed the need to streamline the HS tariff codes for mercury added products as they can be misleading in quantifying amounts of mercury. In the case of Mauritius HS codes, they are tied to products that are taxed when entering the country. Therefore, using thermometers as an example, the amount of mercury from this source would be considered as “zero” since Mauritius does not have a tax control over this product.
- JVE, SRADeV, PANEM, the EEB and the CREPD discussed the importance of establishing effective communication strategies when engaging stakeholders. JVE and SRADeV agreed that first and foremost the work of NGOs is to effectively communicate. Both organizations had in-house capacity to develop their strategies depending on the stakeholders engaged. It is also equally important to have a good relationship with the media to effectively amplify your message. In terms of raising awareness about dental amalgam reduction, one of the best approaches is to engage officials at dentistry schools to learn about the advantages of alternative materials. The EEB offered the aid of the Zero Mercury Working Group in fostering communication strategies for NGOS in countries that they have not engaged with yet.

8. Developing a legal gap analysis related to the Art. 4 as per the Convention requirements.

(Facilitator and presenter: Mrs. Elena Lymberidi-Settimo, EEB. Presenter: Mrs. Shivani Georgijevic, University of Mauritius)

8.1 Contributing to the development of a legal gap analysis related to Art. 4 of the Minamata Convention (Presentation developed by NRDC, presented by Elena Lymberidi-Settimo, EEB)

- Under Article 4, the Convention will reduce mercury demand in products through a combination of measures which phase out mercury uses in many key products, phase down mercury use in dental amalgam, and discourage the manufacture of new products using mercury. Annex A, Part 1 of the Convention lists the mercury products subject to the Convention phase out obligations. These include many batteries, switches and relays, fluorescent lamps, cosmetics, pesticides, thermometers, blood pressure cuffs, and other measuring devices where mercury or a mercury compound is intentionally added to the product. The phase-out applies to the manufacture, import, and export of the selected products, but it does not apply to their use. This means mercury-added products already in commerce can still be used within a country after the Convention phase-out date.
 - The list of products in Annex A, Part 1 is mostly straightforward, but some of the product listings deserve more explanation. For example, the Annex A, Part 1 list includes all batteries except the button cells typically used in hearing aids (zinc air) and watches (silver oxide). Mercury is sometimes used in these kinds of batteries for corrosion control, so the Convention allows for some mercury content, but the amount must be less than 2%. Most manufacturers already meet the 2% limit, or produce mercury free alternatives, so there should be few difficulties meeting this requirement.
 - Most lamp categories listed in Annex A have mercury content limits, so the phase out applies only to lamps exceeding the limits. One exception is high pressure mercury vapour lamps, which must be phased out entirely.
 - Annex A also phases out the use of mercury in pesticides, biocides and topical antiseptics. The mention of biocides covers the important use of mercury in paint. Large quantities of mercury were historically used in paint to prevent growth of bacteria during storage, and growth of algae/fungi after application of the paint.
 - Cosmetics such as skin lightening creams are covered as well, if mercury content is above 1 ppm. This concentration is intended to capture those cosmetics where mercury is intentionally added.
- All the products listed in Annex A are subject to the same effective phase out date – 2020. Note the effective date is written as a calendar date. The date does not change depending on when governments become Parties to the Convention. As mentioned earlier, Article 6 contains a mechanism by which Parties can obtain an extension of time for the effective date. These extensions of time will be both country-specific and product-specific.
- Annex A begins with a list of products used in special circumstances that may be excluded from the phase-out requirements. Products may fall outside the phase-out mandate if any of the

exclusions in this list apply. The list of exclusions includes “essential” military and civil protection (e.g., police) applications, but the term “essential” is undefined, so governments have some discretion to interpret its meaning. Most products used by both the military and ordinary consumers may not be essential (i.e., batteries), given the availability of non-mercury alternatives (or in the case of lamps lower mercury alternatives) that perform the identical function. However, there may be unique types of products in these categories, such as special switches used on submarines or satellites, where the mercury is needed because of the high stress application in which it functions.

- Other exclusions potentially apply for research or replacement purposes. Measuring devices, such as blood pressure cuffs, may be an example where a small number of units may still be needed for use in research or calibration activities. Regarding replacements, there may be instances where non-mercury switches, relays or measuring devices, or lower mercury lamps of certain types, are unavailable as replacement components in larger equipment or machinery. The classic example is a mercury switch made for a complex and expensive piece of manufacturing equipment, and the only switch made for this equipment is a mercury switch. This exclusion would allow manufacture or trade of a new replacement mercury switch so that the expensive equipment can continue to be used. Governments may consider how they will determine the availability of non-mercury replacements if and when these situations are encountered.

There is an exclusion potentially available for traditional or religious practices, but the products currently listed in Annex A are not often used in this way. Lastly, the Convention exempts vaccines from regulation to maintain the availability of vaccines using mercury as a preservative, particularly where refrigeration is unavailable in the developing world.

- Switches and relays are often components of larger products. Under Paragraph 5 of Article 4, a Party must take measures to prevent mercury-added switches and relays from being incorporated into larger products. It is the responsibility of Parties who are manufacturing larger products to verify that any components used are allowed under Annex A, either through their import controls or controls on the manufacturer. Similar issues may arise with respect to batteries and lamps identified for phase-out in Annex A.
- Annex A, Part II focuses on the obligation to phase down (rather than phase out) the use of mercury in dental amalgam. The Annex lists nine potential options that Parties can take to implement this phase down. The legal authorities which may be required to implement these options vary widely depending upon the option. For example, several options involve dental insurance, one option restricts the use of mercury to its encapsulated form, and another option targets best environmental practices in dental offices (typically requiring amalgam separators to minimize mercury discharges into wastewaters). Accordingly, governments should consider the phase down options they wish to pursue, and then the authorities needed to implement the options chosen. In some cases, such as the promotion of research and development, or education and training, of mercury-free dentistry, new legal authorities may not be needed.
- The Convention requires that each Party “discourage” mercury use in product types not previously known to that Party when the Convention entered into force for it. This may require an understanding of existing uses of mercury in products within the country, and a way to address any new uses which may arise. Legal authorities may be needed to collect information on existing uses, and to address new uses. Parties may choose to use authorities to restrict or prohibit new types of mercury products using mercury, perhaps with exemptions available for extraordinary situations, to meet this Convention obligation.

- The legal authorities necessary to implement Article 4 may be found in multiple sources, such as the Party's environmental law, hazardous substances control law, and the law(s) governing the import, safety, licensing and distribution of medical products, cosmetics, and other products. The authorities used to implement the Montreal Protocol or the Stockholm Convention should be reviewed for their applicability to mercury-added products. The dental amalgam phase down measures may also involve insurance, medical device licensing, and waste management/water pollution laws, depending upon the phase down measures chosen by the government.

Our experience on this project and elsewhere has taught us every country is unique in some way, because of the different responsibilities assigned to various ministries, the ways the laws are written, and the existing regulations already in place. For example, fever thermometers and blood pressure cuffs, topical antiseptics, and/or cosmetics may fall within Ministry of Health jurisdiction in some countries, under a different legal framework than lamps or batteries. In addition, some countries may already have legal authorities phasing out mercury in some products, such as cosmetics or pesticides.

- Whoever performs the legal gaps analysis for your country needs to obtain all the potentially relevant laws and regulations, start with the checklist of authorities needed and the products listed in Annex A, and then systematically determine whether and how all the relevant existing laws and regulations applies to each of the authorities needed. The answer regarding the phase out legal authority may be different for each product category, depending upon agency jurisdiction and whether existing laws or regulations already control the manufacture or import of the various products. Once the gaps are identified, the next step will be to determine the easiest way forward to fill the gap. For example, is it a completely new law or regulation required, or can existing laws or regulations be modified more quickly and efficiently?
- When choosing your expert to perform the legal analysis, knowledge of the relevant national laws and regulations is probably more important than knowledge of mercury issues or the Convention. A legal expert should be able to review the Convention, the checklist guide, and the manual, and understand the legal authorities needed to meet Convention obligations. It may be more difficult for a mercury expert to go the other way, and learn all the potentially relevant laws and regulations in a country.
- Article 6 provides a mechanism for Parties to receive more time to meet their obligations under Article 4 or Article 5, or both. Note the exemption is only a limited extension of time for compliance: it is not an exemption from complying at all. And these time exemptions are available only to the product and manufacturing process provisions of the Convention. There are no exemptions or extensions of time available for other Convention obligations, such as the supply and trade or emissions control requirements.
- Article 6 contains two separate processes for an extension of time. The first is a simplified registration process, which can provide an extension of time until 2025 for products. This exemption expires at the end of this initial period. The second extension requires COP approval, and could potentially provide an extension until 2030 for products upon request by a Party. No extensions of time are available beyond these dates, regardless of when a country becomes a Party. Given the second process is many years away, this presentation will focus on the initial registration process.
- A government must register for the initial exemption when they become a Party to the Convention. For the first 50 governments ratifying the Convention and thereby triggering the Convention entering into force, they become Parties when the Convention enters into force,

which is on the 90th day after the 50th government deposits its ratification documentation. Therefore, the first 50 governments had to register for an exemption prior to this 90th day.

However, now that the Convention has entered into force, governments become Parties 90 days after they submit their ratification documentation, so their registrations are required before then. The other governments have more time to make a decision.

The registration is facilitated by the Secretariat of the Minamata Convention and is listed publicly.

- The duration of the initial exemption depends on two factors: (1) When a government becomes a Party, and (2) Whether the Party requests an exemption for less than five years. For countries becoming Parties after 2020, the product-related registration exemption expires in 2025. The same date applies to all Parties, regardless of when they became a Party. Article 6 was drafted in this way, so that all the initial exemptions would be terminated by 2025 at the latest. Parties can also request a duration shorter than five years, for one or more product categories covered by the registration.
- Considering the legal gap analysis in Nigeria and Mauritius, NRDC further looked into the existing national legislation respectively and determined that:
 - Nigeria has sufficient statutory authority to issue regulations as needed to implement Article 4 of the Convention, under the National Environmental Standards and Regulations Enforcement Agency Establishment Act (NESREA) alone, or in combination with the National Agency for Food and Drug Administration and Control (NAFDAC) Establishment Act (1993). However, we also concluded that additional regulations will need to be promulgated under these authorities to cover the products specified in Part 1 of Annex A to the Convention.
 - Mauritius currently regulates two of the mercury-added products covered under the Convention. First, mercury-added pesticides are listed in Part II of Schedule 18 of the Dangerous Chemicals Control Act. Second, Amendment No. 3 of the Consumer Protection (Control of Imports) regulations added “batteries containing mercury” to the Second Schedule of the regulations. By virtue of this listing, mercury batteries are considered “prohibited goods”, and thereby subject to an import ban. However, we also concluded that additional regulations will need to be promulgated under these authorities to cover the remaining products specified in Part 1 of Annex A to the Convention.
- Once the legal gap analysis has been conducted there are other activities that may be necessary to prepare for Convention Article 4 obligations. The checklist presented by the Mercury Policy Project in point 4 is meant to assist countries in guiding stakeholder outreach and coordination, completion of a situation assessment for a country and assessing capacity needs in the relevant technical and policy support areas. With these tools, countries should be able to carry out the steps to phase out mercury added products and comply with Article 4 of the Minamata Convention.

8.2 Study of Legal Gaps Analysis in Mauritius – Experiences and Lessons Learned (Mrs. Shivani Georgijevic, University of Mauritius)

The University of Mauritius presented their analysis. A number of difficulties were encountered and should be taken into account by others taking on a similar task. While a background in international law was useful in understanding the Convention, technical aspects related to various mercury issues were challenging. Not having an in-depth knowledge on mercury may not be a problem, as long as it is acknowledged up front, in order to have other experts contribute and aid in the necessary areas. The

Terms of Reference in the contract is an aspect that may need to be revisited over time because there are issues that can emerge that might not have thought about initially.

Discussion:

- Participants inquired about the Terms of Reference (ToR) to carry out a legal gap analysis and what structure to follow. Lesotho elaborated on the procedure of applying for a product-phase out extension as a result of their MIA. The EEB and the University of Mauritius provided clarifications on conducting a legal gap analysis.
- Gabon inquired as to how to formalize the ToR without having laws that relate directly to chemical products. The EEB explained that having a model law for countries to be able to implement was an issue that the ZMWG had thought about, but was later disregarded given that each country has its own specific legal structures. In light of this, the ZMWG manual on the implementation of the Convention³ was produced, to help make the Convention text more accessible to the reader.
- The University of Mauritius underlined the need for simplicity. Any given country needs to compare its existing laws to the provisions of the Convention and analyze the gaps.
- The Africa Institute highlighted the UNDP MIA Guidance⁴ document which could be considered when drafting ToR.
- Finally, Lesotho stated that they just applied for the 5 year extension available under the Convention. While doing their MIA they realized that they use many mercury added products. Given their socio-economic status, they will most likely not meet the 2020 deadline as they still need to conduct out an assessment of alternatives, awareness raising, and garner legislative support for product phase outs. Lesotho consulted their stakeholders through the chemicals management committee, their executing agency and the interim secretariat to understand the implications of requesting an extension for product imports. At any point in time, a country can withdraw from the exemption when they feel ready.

9. Study on transition to Mercury Free/ Convention compliant products

(Presenter: Mr. Shailand Gunnoo Consultant for PANeM, Mauritius)

A study for PANeM was conducted to investigate the shift towards Convention compliant products in Mauritius under the framework of the EEB/ZMWG project. This was done in complementarity with the national level- MIA project. The executive summary of the study can be found in annex 3.

The methodology for the study involved the following steps:

- Literature review
- Data compilation from Customs Department's figures.
- Identification of stakeholders

³ Minamata Convention on Mercury – ZMWG Ratification and Implementation Manual, 2014 (updated January 2015, June 2016, January 2018) <https://www.nrdc.org/sites/default/files/minamata-convention-on-mercury-manual.pdf>

⁴ http://www.undp.org/content/undp/en/home/librarypage/environment-energy/chemicals_management/undp-minamata-initial-assessment-guidance-.html

- Development of survey questionnaires
- Meetings and working sessions with stakeholders
- Field visits
- Assessment and compilation of data received
- Final report writing

During an inventory compiled during 2013, the biggest contributor (at 52 percent) of mercury releases in Mauritius was from products and wastes.

The Customs department, which falls under the Mauritius Revenue Authority, was established to be a crucial stakeholder. They are responsible for the regulation and inspection of imported and exported goods in Mauritius, in addition for the detention of suspect goods including mercury-added products.

A variety of challenges with Customs data were presented. These included the following: some HS specific codes may not exist for specific products; some products may not be under any regulatory control, therefore there is no data available; and some may even be under an incorrect HS code, rendering the production of an accurate status of products very challenging. The policy decision for purchasing and using mercury-free devices remains unclear, and some sectors, such as academia and health care have not completely shifted to the use of mercury free products. The food and beverage sector has however showed a clear transition to mercury free devices.

Unforeseen challenges related to the distribution and limitations of surveys amongst traders and users also emerged throughout the course of the study. General attitudes, lack of time and administrative barriers can make data difficult to obtain. Proper records on products traded, distributed, installed or used are not generally kept by stakeholders. A general lack of awareness on the Minamata Convention and its requirements for phasing out mercury-added products was observed. Many counterfeit or fake brands, particularly concerning skin creams, were observed to be available on the market.

Following the study, as pertaining to Mauritius' in-country situation, the following activities were recommended as further steps over the next few years to facilitate the transition to Convention-compliant products. Activities may include, but not be limited to, additional investigations and consultations, raising awareness, capacity-building, increased regulatory checks, creation and upgrading of databases, and measures engaging relevant stakeholders, particularly those in the commercial sector ("traders"), but in more general terms also encompassing the public sector, the broader private sector and civil society.

Discussion:

- Participants inquired about the consultant's methodologies and also offered comparisons to their national experiences. Many participants expressed the need for wide distribution of a list of alternatives that need to be applied by 2020.
- Zambia inquired about the level of detail of the questionnaires distributed and if the consultant would consider making changes to them. The consultant stated that the questionnaire could be shortened. Most traders only filled in the import value, but mostly left the amount imported blank.

- Friends of the Nation inquired about what methodology worked best for data collection (via email or personal visits) with traders. The consultant faced serious challenges in collecting data as many stakeholders often asked what they would obtain in return for submitting data. Nonetheless, face to face interviews were more productive than emailing stakeholders the surveys. Follow up interviews were also necessary to obtain sufficient data.
- Mauritius reported that when they organized a meeting with stakeholders/traders and followed up with an official ministry letter, even then, responses to surveys were low. There is also a fair amount of ground proofing being facilitated by the government in checking importer posts. Tests on fish and whitening creams are being carried out by pharmacists at customs check points.
- CEJAD in Kenya provided input from a similar study that they conducted in Kenya, though on a smaller scale. Going to meet shop keepers in person and shortening in the length of the questionnaire, were key to obtaining a higher rate of responses. SRADeV observed the same in Nigeria: in focus group meetings, rather than individually approaches, stakeholders were more likely and willing to respond to questionnaires. Additionally, some individuals felt that they were not qualified to answer certain questions.
- In response to questions regarding data reliability, the consultant explained that Mauritius has a statistics office for cross checking, but challenges remain. Some of the figures obtained were compared with Ministry data but not all due to lack of availability of such data. Trainings were carried out with Customs to increase their knowledge of the Convention.

10. Exercise: Participants prepare a draft national roadmap to phase out mercury added products.

(Facilitators: Mrs. Elena Lymberidi-Settimo, EEB, Mr. Michael Bender, MPP)

Participants were asked to use the ZMWG checklist presented by the Mercury Policy Project in section 4 and adapt them to their own national contexts. To facilitate communication, they were split into English speaking and French speaking groups to conduct their brainstorming activity separately and then several volunteered to present their findings to plenary. .

Discussion on outcomes from breakout groups:

- Governments agreed that it would be optimal to take a regional approach to phasing out mercury added products.
- Gabon offered to use their influence as chair at the upcoming African Ministerial Conference on the Environment (AMCEN) (to be held in Libreville from June 12-16th, 2017); to build a case for phasing out mercury added products.
- A need to engage simultaneously with products that are mercury free but also energy efficient was expressed.
- UN Environment committed to compiling all MIA notes and providing a report on products by categories.
- Due to the leading position of African countries as Convention signatories, a Situation Assessment was proposed. For this to be completed the following activities need to be implemented:
 - Identify data gaps with a focus on revising HS codes;
 - Engage the WTO through the World Customs Organization so that they provide input on a regional level to segregate HS codes for mercury added products;
 - Initiate a bio-monitoring program to address the region in terms of health impacts, and engage the World Health Organization;
 - Conduct an assessment of institutions related to the trade and supply chain of mercury added products;
 - Conduct a study on procurement of mercury free products (potentially funded by the Africa Institute) which would present a clearer picture of complying with the 2020 deadline. This study can also be contributed to by the World Trade Organization and the Eastern Africa Legislative Assembly.
- Ideas were presented on potential financial mechanisms for training Customs officers as they are the first people to come into contact with products when they enter the country.
- Further exchanges included the idea of a regional advisory committee to pursue collaboration and capacity building. The committee will be in charge of setting up procedures for verification of standards, ensure commercial product distribution, harmonize directives within the region, ensure conformity with the laws, mobilize resources and utilize applied research.
- Tracking products and an exchange of experiences also needs to take place within the advisory committee.

- UN Environment commented on an ongoing discussion within the Global Mercury Partnership concerning standards for alternative products. This requires working in partnership with the ISO for labeling of products.
- Information was exchanged regarding the possible contribution from Gabon at the African Ministerial Conference on the Environment (AMCEN).
- The consultant raised the need for assessment of labs and capacity building and compared it to provisions under the Stockholm Convention for lab evaluation.

On the following day, during a meeting of the UNEP Global Mercury Partnership on products, with the assistance of UN Environment, the draft national roadmaps the countries drafted during the UNEP Awareness Raising workshops in 2014-2015 were distributed to the participants as a starting point.

ZMWG reminded participants of the presentation of the EEB/ZMWG developed draft checklist which could now be used for the countries to start developing their draft national roadmaps for phasing out mercury added products. Time was allocated for government representatives to develop their own country draft roadmaps for phasing out mercury-added products.

At the end of this exercise, Jamaica, Zambia and the Republic of Congo presented their country draft roadmaps.

Draft Roadmaps have also been submitted by the following countries/regions: Lesotho, Botswana, BCRC Caribbean, Gambia, Niger, Nigeria, Burundi, Burkina Faso, Ghana.

The checklist form used can be found in Annex 2.

Annexes

Annex 1 - Annex A of Minamata Convention

Mercury-added products

The following products are excluded from this Annex:

- (a) Products essential for civil protection and military uses;
- (b) Products for research, calibration of instrumentation, for use as reference standard;
- (c) Where no feasible mercury-free alternative for replacement is available, switches and relays, cold cathode fluorescent lamps and external electrode fluorescent lamps (CCFL and EEFL) for electronic displays, and measuring devices;
- (d) Products used in traditional or religious practices; and
- (e) Vaccines containing thiomersal as preservatives.

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)
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
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	2020

mg per lamp	
Cosmetics (with mercury content above 1ppm), 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

Part II: Products subject to Article 4, paragraph 3

Mercury-added products	Provisions
Dental amalgam	<p>Measures to be taken by a Party to phase down the use of dental amalgam shall take into account the Party's domestic circumstances and relevant international guidance and shall include two or more of the measures from the following list:</p> <ul style="list-style-type: none"> i. Setting national objectives aiming at dental caries prevention and health promotion, thereby minimizing the need for dental restoration; ii. Setting national objectives aiming at minimizing its use; iii. Promoting the use of cost-effective and clinically effective mercury-free alternatives for dental restoration; iv. Promoting research and development of quality mercury-free materials for dental restoration; v. Encouraging representative professional organizations and dental schools to educate and train dental professionals and students on the use of mercury-free dental restoration alternatives and on promoting best management practices; vi. Discouraging insurance policies and programmes that favour dental amalgam use over mercury-free dental restoration; vii. Encouraging insurance policies and programmes that favour the use of quality alternatives to dental amalgam for dental restoration; viii. Restricting the use of dental amalgam to its encapsulated form; ix. Promoting the use of best environmental practices in dental facilities to reduce releases of mercury and mercury compounds to water and land.

Annex 2 – ZMWG Checklist towards phasing out mercury added products



Exercise for participants at the UN Environment/GMP/ZMWG co-hosted workshop: “Advancing the UNEP Global Mercury Partnership on Products: An Awareness Raising and Knowledge Sharing Meeting for the African Region”, 26 May 2017, Nairobi

TOWARDS DEVELOPING A DRAFT ROADMAP FOR PHASING OUT MERCURY-ADDED PRODUCTS UNDER THE MINAMATA CONVENTION ON MERCURY

COUNTRY NAME: _____

The Minamata Convention on Mercury represents a major milestone in global efforts to reduce the adverse impacts of mercury. Under Article 4 of the Convention, Parties are not allowed to manufacture, import or export a prescribed list of mercury-added products after 2020, unless a Party registers for an extension of time under Article 6 of the Convention. The covered list of products is provided in Annex A of the Convention, see: <http://www.mercuryconvention.org/Convention>. In addition, Parties must discourage the manufacture and sales of new types of mercury-added products.

Countries may wish to consider the following draft checklist⁵ when undertaking their Minamata Initial Assessment (MIA) or planning activities to meet Article 4 Convention obligations:

1. Development and implementation of a stakeholder engagement strategy

- Identify relevant ministries and stakeholders, and form a structure to facilitate project input and coordination, such as a Products Advisory Committee (PAC)
- Determine roles, responsibilities, timeline, etc. for moving forward between the ministries with jurisdiction over relevant Article 4 obligations (i.e., Ministries of Environment, Health, Trade, etc.)
- *Hold PAC inception meeting, identify significant implementation issues and data needs, set project goals, specify the sequence and timing of project milestones, and establish mechanisms for conducting outreach and obtaining input as project progresses*
- Secure financial, technical and informational cooperation as needed from relevant agencies/organizations and stakeholders
- Facilitate stakeholder review and input on significant project work products

⁵ The draft checklist was developed by the EEB/ZMWG product project team (MPP, NRDC, EEB, gW, SRADev, PANEM) in the framework of the 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**”, funded by the European Commission via the Food and Agriculture Organisation, under the ‘Capacity Building related to Multilateral Environmental Agreements (MEAs) in Africa, Caribbean and Pacific countries’ Phase 2 (ACP/MEAs Phase 2).

DESCRIBE STEPS TO ENGAGE STAKEHOLDERS IN YOUR COUNTRY

- _____
- _____
- _____
- _____
- _____

2. Situation assessment

- Conduct inventories of mercury-added product manufacture and trade, or otherwise obtain available data on manufacture and trade, as needed (see resources)
- Assess availability of mercury-free or Convention compliant products/devices by 2020 (see resources)
- Assess existing institutional capacity to support mercury-added product phase-out activities, in areas such as information reporting and data platforms, product testing and compliance evaluation, trade monitoring, training of relevant officials, and enforcement
- Conduct legal gaps analysis for addressing mercury-added products (see resources)

DESCRIBE STEPS TO ASSESS YOUR COUNTRY SITUATION

- _____
- _____
- _____
- _____

3. Address capacity building and strengthening needs, as needed

- Create information platform as needed to implement the strategy and meet Convention reporting obligations
- Identify laboratory testing needs for strategy implementation and secure financial/technical assistance as needed
- Training of personnel (e.g. Customs)
- Identify target populations for strategy implementation and improve hazard and risk communication initiatives
- Improve occupational health and safety standards and practices for handling mercury
- Foster data gathering, management and information sharing on mercury-free products
- Establish method for determining mercury levels in products, calibration, validation, etc.
- Promote reduction in illegal transboundary trade in mercury-added products

DESCRIBE STEPS TO ADDRESS CAPACITY BUILDING IN YOUR COUNTRY

- _____
- _____
- _____
- _____

- _____
- _____
- _____
- _____

4. Key Project Deliverables

- Definition of roles and responsibilities of relevant ministries in the implementation of Article 4 obligations
- Development of new legal authorities as needed, reflecting the alignment of implementation responsibilities for each of the relevant ministries
- Determination regarding whether and for which product(s) registration for an exemption under Article 6 of the Convention is needed
- Identification of priorities for filling institutional gaps and capacity needs, and sources of potential technical and financial support available to fill the gaps
- Identification of target populations for hazard and risk communication initiatives related to priority products of concern in the country
- Improvement of occupational health and safety standards and practices for handling mercury, as needed

DESCRIBE STEPS TO DEVELOP PROJECT DELIVERABLES IN YOUR COUNTRY

- _____
- _____
- _____
- _____
- _____
- _____
- _____

Resources

Minamata Convention on Mercury Website - <http://http://www.mercuryconvention.org/>

UNEP Global Mercury Partnership – Mercury Reduction in Products - <http://web.unep.org/chemicalsandwaste/global-mercury-partnership/mercury-reduction-products>

UNEP -Toolkit for identification and quantification of mercury releases - <http://web.unep.org/chemicalsandwaste/what-we-do/technology-and-metals/mercury/toolkit-identification-and-quantification-mercury-releases>

ZMWG –Projects focusing on phasing out mercury added products webpage - http://www.zeromercury.org/index.php?option=com_content&view=article&id=319%3Ainternational-eebzmwg-supported-projects&catid=36%3Ageneral&Itemid=110

NRDC – Minamata Convention on Mercury Resources Website - <https://www.nrdc.org/resources/minamata-convention-mercury-contents-guidance-and-resources>

NRDC – Guide to Checklist of Minamata Convention on Mercury obligations which may require new legal authority - <https://www.nrdc.org/sites/default/files/guide-checklist-minamata-obligations.pdf>

NEWMOA- Mercury added product factsheets -

<http://www.newmoa.org/prevention/mercury/imerc/factsheets/>

2015 Step-by-step Guidance on Phasing Out Mercury Thermometers and Sphygmomanometers, WHO -

http://www.who.int/ipcs/assessment/public_health/WHOGuidanceReportonMercury2015.pdf?ua=1

Mauritius National Action Plan on Mercury (2015-2020), Ministry of the Environment and Sustainable Development, February 2014, supported by SAICM, UNEP and UNDP-

<http://africainstitute.info/download/mauritius-national-action-plan-on-mercury/>

Annex 3 – Executive summary from the study “A review of the status of products in compliance with the Minamata Convention on mercury, in Mauritius”, by Shailand Gunnoo, December 2017

Mercury is a chemical of global concern owing to its long-range atmospheric transport, its persistence in the environment, its ability to bioaccumulate in ecosystems, and its significant impacts on human health and the environment. Levels of mercury in the global environment have risen significantly over the past two centuries as a result of increased anthropogenic pollution, much of it from the intentional use of mercury in products.

In 2003, the Governing Council of the United Nations Environment Programme (UN Environment) concluded that mercury is a pollutant of global concern warranting immediate international action, and in 2009 it decided that a legally binding instrument was needed to curtail the global impacts of mercury. After four years of negotiations, the Minamata Convention on Mercury (the “Convention”) was adopted in 2013 in Japan. As the target of 50 ratifications was reached in May 2017, the Convention entered into force on 16 August 2017. Its first Conference of the Parties (COP) was held during the last week of September 2017 in Geneva, Switzerland.

The Convention’s objective is to protect human health and the environment from mercury emissions and releases through a range of voluntary and mandatory measures. In the case of products, a Party to the Convention will not be allowed to manufacture, export or import any mercury-added products listed in Annex A, Part I of the Convention by the end of 2020, unless it registers for an extension as per Article 6 of the Convention.

On 21 September 2017, Mauritius ratified the Convention. The main sources of mercury releases in Mauritius are products-related, as documented in a 2013 national inventory compiled through the Ministry responsible for environment and sustainable development, which hosts the National Focal Point (NFP) of the Minamata Convention.

To facilitate the implementation of the Convention’s provisions on phasing out and phasing-down certain mercury-added products, the Pesticides Action Network Mauritius (PANeM), a local NGO, initiated this study within the framework of a larger project funded by the European Commission through the Food and Agriculture Organization (FAO) via the European Environmental Bureau/Zero Mercury Working Group.

The PANEM project is deemed complementary to the national Minamata Initial Assessment (MIA) undertaken by the NFP with the United Nations Development Programme (UNDP) acting as the Implementing Agency. Launched during the same general time frame as this study, the MIA project, among other things, has refined the mercury inventory for Mauritius.

The purpose of this study was to shed light on the availability and efficacy of mercury-free and other Convention-compliant products (e.g., low-mercury lamps) in the Mauritian market. The methodology of the study included information gathering and analysis, primarily via the following mechanisms: (1) desktop research, (2) survey of relevant products targeting stakeholders such as importers and users, and (3) field studies/stakeholder interviews.

The study confirms that, since the vast majority of products covered by the Convention are imported into Mauritius, the country generally relies upon global supply sources for Convention-compliant products, and these are widely available. The study also concludes that a complete shift towards Convention-compliant products has not yet taken place in Mauritius. However, based on this research and the experiences of other countries, compliance with the product related prescriptions detailed in Article 4 of the Convention appears generally achievable in the country by the 2020 target date.

Nevertheless, there will be some challenges in meeting these products related Convention obligations. One major challenge is the need for improved information collection and monitoring of imported Article 4 goods in Mauritius. There are a number of reasons that the current data is inadequate:

- ❖ The data available at the local Customs authorities often do not differentiate between mercury-added and mercury-free products.
- ❖ As in most such field surveys, response rates to this study were relatively low due to confidentiality issues, lack of time for filling in questionnaires, limited awareness of which products contain mercury, etc.
- ❖ Information pertaining to the efficacy or performance of Convention-compliant products was not provided in many of the responses to the surveys.

Nevertheless, some solid conclusions were able to be drawn from this research. As discussed in Chapter 4, the report concludes that Mauritius can make the transition to Convention-compliant products before the end of 2020, as stipulated in the Convention. Findings concerning specific key sectors include:

- ❖ Mercury-free thermometers and sphygmomanometers are already in use in the health care sector, while the transition to mercury-free laboratory thermometers in the academic sector needs to be further encouraged.
- ❖ No significant challenges regarding availability of mercury-free batteries surfaced during this study; thus compliance with the Convention's 2020 deadline for batteries is feasible. In fact, applicable legislation prohibits the import of batteries with mercury.
- ❖ For the various lighting applications, e.g., street lighting or domestic uses, a slow transition towards Light-Emitting Diode (LED) lamps has been noted. The availability and market price of these lamps are important factors slowing this transition.
- ❖ Pesticides imported into Mauritius are mercury-free.

More detailed information on specific products in Mauritius would be especially useful, such as:

- ❖ the availability of other mercury-free measuring devices listed in Annex A, Part I;
- ❖ the mercury content of the various types of lamps on the market;
- ❖ the availability of mercury-free switches/relays;
- ❖ the mercury content of skin-lightening creams on the market;
- ❖ the extent of use of alternatives to dental amalgams by dental professionals.

In Chapter 5 of the report, a variety of capacity building activities are suggested as next steps to build on recent progress, and to help achieve the objectives of the Convention.

Finally, it is recommended that the Government of Mauritius, through the Ministry of Social Security, National Solidarity, and Environment and Sustainable Development, and other relevant ministries, take further steps over the next few years to facilitate the transition to Convention-compliant products. Such endeavors may include, but not be limited to, additional investigations and consultations, raising awareness, capacity-building, increased regulatory checks, creation and upgrading of databases, and measures engaging relevant stakeholders, particularly those in the commercial sector ("traders"), but in more general terms also encompassing the public sector, the broader private sector and civil society.

Annex 4 – UN workshop concept note and agenda



**Advancing the Global Mercury Partnership on Products:
An Awareness Raising and Knowledge Sharing Meeting of the
UNEP Global Mercury Product Partnership Area for the African Region
Nairobi, Kenya, 26 May 2017**

CONCEPT NOTE

1. Background and Context

The overall goal of the UN Environment Programme (UNEP) Global Mercury Partnership is to protect human health and the global environment from the release of mercury and its compounds by minimizing and, where feasible, ultimately eliminating, global releases to air, water and land. With the adoption of the Minamata Convention on Mercury, the focus of the UNEP Global Mercury Partnership has shifted to support the substantive areas of the treaty. With this shift, the Product Partnership's commensurate focus is to support implementation of Article 4 of the Convention, which includes banning a number of listed mercury-added products by 2020, unless a Party has registered an exemption. In pursuit of Convention ratification and implementation, governments, businesses, civil society and others may be interested in obtaining information on phasing out or phasing down mercury-added products listed in Article 4 of the Convention.

UN Environment Chemicals and Health Branch coordinates the activities of the UNEP Global Mercury Partnership, which contribute to the source reduction of mercury products and use by making available scientific, technical and policy knowledge and tools for the reduction, elimination and sound management of mercury, and thus to contribute to the implementation of the Convention. The work to phase out and phase down mercury-added products under the UNEP Global Mercury Partnership is multi-sectoral, engaging governments, civil society, academia and industry.

2. Goal and Objectives

Aimed at advancing the overall goal Global Mercury Partnership, the Products Partnership's goal is to foster the reduction and elimination of mercury in products through providing knowledge sharing, technical assistance, reporting, and outreach in support of Article 4 of the Convention.

Specific objectives of the meeting are to:

- To provide information on the viability and availability of Convention compliant products that can and are used in place of mercury-added products.
- Through providing case study examples, enhance awareness of interested government officials and civil society, particularly in developing countries and countries with economies in transition, on successful measures to phase out/down mercury-added products as stipulated in Annex A, Part I and II a of the Convention.
- To share information on the common steps countries have often taken toward successfully phasing out/down listed mercury-added products.

- To better understand the economies of scale, key drivers and other steps involved in transitioning from mercury-added products to convention compliant alternatives, including the critical role product manufacturers can play to help build momentum for this to occur.
- To assist in better understanding the steps involved in developing national “roadmaps” for phasing out/down mercury-added products.

3. Workshop Co-hosts

The lead of the Products Partnership area- United States of America Environment Protection Agency (USEPA) - and UNEP, and European Environmental Bureau/Zero Mercury Working Group (EEB/ZMWG) will invite interested governments and civil society to the workshop.

4. Methods and Programme

This Product Partnership workshop will follow the agenda developed by the lead and UNEP, in consultation with EEB/ZMWG.

5. Partners

The partners in planning and co-hosting this meeting are UNEP, USEPA and EEB/ZMWG.

6. Logistics

Date : 26 May 2017

Venue: Brackenhurst Hotel, Nairobi, Kenya

7. Participants

Participants include country representatives from 33 African and Caribbean countries, China and India, UNEP, UNDP, UNIDO and civil society

8. Secretariat

UN Environment Chemicals and Health Branch, Mercury Policy Project, European Environment Bureau

9. AGENDA

Time	Item
8:30	Registration
9:00	<p><u>Welcoming remarks:</u> Opportunities for enhancing operations of the Product Partnership area under the Minamata Convention on Mercury -USEPA lead of the Products Partnership area (video message) - Zero Mercury Working Group (ZMWG) / Mercury Policy Project (MPP) Feedback from 2016 regional consultations with a focus on Africa’s needs on mercury-added products - UN Environment Chemicals and Health Branch</p>

9:30	<p><u>Building awareness and support by sharing support at the national level for phasing out/down mercury-added products under the Minamata Convention</u></p> <p>Panel discussion:</p> <p>1) Government product phase out/down experiences from <i>Kenya, Madagascar and Burkina Faso</i></p> <p>2) EEB/ZMWG phase out/down experiences in Nigeria (Sustainable Research And Action For Environmental Development - SRADev Nigeria), Mauritius (Pesticides Action Network Mauritius – PANeM), Kenya (Centre for Environment Justice and Development – CEJAD), Côte d'Ivoire (Jeunes Volontaires pour l' Environnement – JVE) and South Africa (groundWork)</p>
11:00	Coffee break
11:30	<p><u>Developing national strategies for phasing out/down mercury in health care</u></p> <p>1.) WHO Guidance: Developing national strategies for phasing out mercury-added thermometers and sphygmomanometers. - <i>UN Environment Chemicals and Health Branch</i></p> <p>2.) Lessons from Countries Phasing Down Dental Amalgam Use. - <i>Mercury Policy Project (MPP)</i></p>
12:30	Lunch break
13:30	<p><u>Challenges and opportunities in the product manufacturing sector in light of the Minamata Convention on Mercury</u></p> <p>- <i>Government nominated representatives from India and China</i></p>
15:00	Coffee break
15.30	<p><u>Developing draft national roadmaps for phasing out/down mercury-added products under the Minamata Convention</u></p> <p>– <i>UN Environment Chemicals and Health Branch, ZMWG /MPP</i></p>
16:30	<p><u>Roadmap presentations</u></p> <p>-<i>Government Representatives</i></p>
17:00	<p><u>Synthesis and next steps</u></p> <p>-- <i>UN Environment - Chemicals and Health Branch, ZMWG /MPP</i></p>
17:30	<u>Closure of the meeting</u>

Pictures

Group Photo



Panel of the Mercury Policy Project, UN Environment and the EEB



Delegates that have mercury amalgam fillings, tested mercury detection with the LUMEX



ZMWG presenting on alternatives to mercury added products



Participants prepare and discuss their own national roadmaps to phase out mercury-added products

Participants List

UNEP-EEB/ZMWG Mercury Events - Nairobi 24-26 May 2017

LIST OF PARTICIPANTS

Governments

<p>BOTSWANA Mrs. Julia Neo Mmualefe Principal Chemist I Department of Waste Management & Pollution Control P/BAG BR 132 Gaborone Botswana Tel.: +267 393 4479 Email : jnmmualefe@gov.bw</p>	<p>CENTRAL AFRICAN REPUBLIC Mr. Martial Siodot Point Focal de la Convention de Minamata sur le Mercure Ministère de l'Environnement, du Développement Durable, des Eaux, Forêts, Chasse et Pêche BP :686 BGF Bangui République Centrafricaine Tel.:+ 236 726 45 433 Email: siodmartial@yahoo.fr</p>
<p>BURKINA FASO Mrs. Watta Koulibaly Ouedraogo Directrice de la Prévention des Pollutions e des Risques Environnementaux Ministère de L'Environnement Direction Générale de la Préservation de l'Environnement 03 BP 7044 Ouaga 03 Burkina Faso Tel: +226 70 26 64 78 Email: ouedwata@yahoo.fr</p>	<p>CHAD Mr. Abdallah Younous Adoum Point Focal de la Convention de Minamata sur le Mercure Ministère de l'Environnement et des Pêche du Tchad Quartier Beguinage B.P. 447 N'djamena Chad Tel.: +235 63 64 83 00 Email: abou_idjab08@live.fr</p>
<p>BURUNDI Mr. Jérôme Ahishakiye Environmental Education Service Chief and NAP/ASGM project Assistant Burundian Office for Environment Protection (OBPE) P.O.Box 56 Gitenga Burundi Tel.: +257 71513356 Email: Jerome560@yahoo.fr</p>	<p>REPUBLIC OF CONGO Ms. Genevieve Bazoma Dongui Point Focal SAICM – Convention de Minamata sur le Mercure, Coordinatrice du Projet MIA/NAP Ministère de l'Economie Forestière, du Développement Durable et de l'Environnement Direction Générale de L'Environnement BP. 958 Brazzaville République du Congo Tel.: +242 05540 7536 Email: bazogene@yahoo.fr</p>
<p>CÔTE D'IVOIRE Mr. Martial Venance Say SAICM Focal Point Ministère de la Salubrité, de l'Environnement et du Développement Durable 20 BP 650 Abidjan 20, Cité Administrative Tour D, 10ieme étage Abidjan 20, Cote D'Ivoire Tel.: +22507052119 Email: martialvs@gmail.com</p>	<p>GABON Mr. Serge Molly Allo'o Allo'o Technical Head, SAICM Focal Point Centre National Anti-Pollution STFO Concession de la Direction Provinciale des Forets de L'Estuaire 3241 Libreville Gabon Tel.: +24 10 77 08 528 Email: sergemolly14@gmail.com</p>

<p>DJIBOUTI Mr. Mohamed Elmi Obsieh Egueh Coordinateur National du Projet MIA Ministère de l’Habitat, de L’Urbanisme et de L’Environnement 253 Djibouti Djibouti Tel.:+253 77832596 Email: med.environnement_dj.yahoo.fr</p>	<p>GAMBIA Mr. Malick Bah Senior Programme Officer, Environmental Impact Assessment and Project Coordinator of the Minamata Initial Assessment Project Coordinator National Environment Agency Gambia Environment House, PMB 48, Jimpex Road, Kanifing 0220 Banjul Gambia Tel.: +220 993 16 64 Email: malbah11@gmail.com</p>
<p>ETHIOPIA Mr. Binyam Yakob Gebreyes Climate Change Negotiator and Minamata Convention Focal Point Ministry of Environment, Forest and Climate Change 4 Kilo, Behind Tourist Hotel 55123 Addis Ababa Ethiopia Tel.: +251911876117 Email: binyam.y.gebreyes@gmail.com</p>	<p>GHANA Mr. Lovelace Sarpong Senior Programme Officer Chemicals Control and Management Centre Environmental Protection Agency P.O.BOX M326 Ministries Post Office Accra Ghana Tel.: +233 501301438 Email: Lovelace.Sarpong@epa.gov.gh</p>
<p>GUINEA Mr. Jules Tamba Camara National Consultant Ministère de l’Industrie Conakry, Commune de Kaloum 761 Conakry République de Guinée Tel.: +224 628 92 56 89 Email: julestambacamara@yahoo.fr</p>	<p>MADAGASCAR Mrs. Hanitriainaina Liliane Chief of Medical, Social, Quality, Health, Hygiene and Environment Section and National Focal Point of the Minamata Convention Ministry of Environment, Ecology and Forests Farafaty Ampandrianomby 101 Antananarivo Madagascar Tel.: +261 320212393 Email: randrialiliane@gmail.com</p>
<p>JAMAICA Ms. Andrea Jones Bennet Director Projects and Enforcement Ministry of Economic Growth and Job Creation 16A Half Way Tree Road,Kingston 5 Kingston Jamaica Tel.: +876 550 0558 Email: andrea.jones@mwlecc.gov.jm</p>	<p>MAURITIUS Mr. Rajiv Beedassy Divisional Environment Officer Department of Environment Ministry of Social Security, National Solidarity, and Environment and Sustainable Development 8th floor, Ken Lee Tower, Barracks Street Port Louis 230 Mauritius Tel.: +23 02 12 05 89 Email: rbeedassy@govmu.org</p>

<p>LESOTHO Ms. Moleboheng Petlane Environment Officer (Pollution Control) Ministry of Tourism, Environment and Culture P.O. Box 10993 100 Maseru Lesotho Tel.: +266 63432362 Email: marleymjp@gmail.com</p>	<p>MOZAMBIQUE Ms. Ana Natacha De Almeida Technician National Institute of Mines 58 Timor Leste Street, Maputo Mozambique Tel.: +258 84 16 39766 Email: Natacha.dealmeida@gmail.com</p>
<p>NIGER Mr. Boubacar Moussa Soumey Chef de Division des Normes et Politiques Environnementales Ministère l'Environnement et du Développement Durable BP 578 Niamey Niger Tel.: +227 96 96 73 66 Email: bmoussasoumey@yahoo.fr</p>	<p>SEYCHELLES Mrs. Michelle Elfa Azemia Quality and Standards Officer Ministry Of Environment Energy and Climate Change Botanical Garden Mont-Fleuri Victoria Seychelles Tel.: +248 2722020 Email: m.azemia@env.gov.sc</p>
<p>NIGERIA Mr. Olubunmi Olusanya Deputy Director Federal Ministry of Environment 14, Aguiyi Ironsi Street Maitama, 23409 Abuja Nigeria Tel.: +234 8023040724 Email: olusanyeo@yahoo.com</p>	<p>SIERRA LEONE Mr. Alie Jalloh Head of Chemical Control and Management Environment Protection Agency 21 Old Railway Line, Brookfields Freetown Sierra Leone Tel.: +232 76696170 Email: adk762002@yahoo.com</p>
<p>SENEGAL Mr. Aïta Sarr Seck Chef de la Division Prévention et Contrôle des Pollutions et Nuisances Direction de l'Environnement et des Etablissements Classés Ministère de l'Environnement et du Développement Durable Parc Forestier et Zoologique de Hann, Route des Pères Maristes B.P. 6557 Dakar, Senegal Tel.: +221 77 511 47 59 Email: aitasec@yahoo.fr</p>	<p>SWAZILAND Ms. Dlamini Bianca Hlobisile Environment Inspector/ Minamata Convention Coordinator Swaziland Environment Authority Rhus Office Park, Karl Grant Street P.O.BOX 2602 H100 Mbabane Swaziland Tel.: +268 240 469 60 Email: bhdlamini@sea.org.sz</p>

<p>TANZANIA Mr. Joseph Kiruki Environmental Engineer Vice-President's Office 8 Albert Luthuli Street P.O.BOX 5380 Dar es Salaam Tanzania Tel : +255 211 8416 Email: kiruki202@hotmail.com</p>	<p>ZAMBIA Mr. Christopher Kanema Principal Inspector- Zambia Environmental Management Agency Corner of Suez and Church Roads P.O. Box 35131 10101 Lusaka Zambia Tel.: +260 977747106 Email: ckanema@zema.org.zm</p>
<p>TOGO Mr. Toi Pagnibam Meba Environmental Lawyer, Focal Point of Minamata Convention Ministry of Environment and Forestry Resources Direction of Environment 247, Rue des Nîmes BP 4825, 00228 Lomé Togo Tel.: +228 90 12 33 91 Email: joaljesus@gmail.com</p>	<p>ZIMBABWE Mr. Mapxashike Union Senior Environmental Quality Officer Environmental Management Agency 685/6 Loraine Drive Bluffhill Harare 263 Harare Zimbabwe Tel.: +263 4305407 Email: mapxashikeunion@yahoo.com</p>
<p>UGANDA Ms. Anne Lilian Nakafeero Senior Environment Management Officer/Mercury Desk Officer National Environment Management Authority P.O.Box 22255 256 Kampala Uganda Tel.:+256 414 251064 Email: anakafeero@nemaug.org</p>	

United Nations Bodies and Specialized Agencies

<p>United Nations Development Program Mr. Satyajeet Ramchurn Environment Programme Analyst United Nations Development Programme Mauritius Country Office Intendance Street Port Louis Mauritius Tel. : +230 211 01 55 Email : satyajeet.ramchurn@undo.org</p>	<p>United Nations Industrial Development Organization (UNIDO) Mr. Oluyomi Banjo Environment Expert UNIDO UNIDO Regional Office, 2nd Floor, Bank of Industry Building, Central Area Abuja Nigeria Tel.: +234 8163067622 Email: O.Banjo@unido.org</p>
--	---

<p>United Nations Environment Mrs. Desiree Narvaez Programme Officer UN Environment Chemin des Anemones 1219 Geneva Switzerland Tel.: +41 22917 8865 Email: desiree.narvaez@uneo.org</p>	
---	--

Convention Secretariats and Regional Centres

<p>BCRC Basel Convention Regional Centre for Training and Technology Transfer for the Caribbean</p> <p>Ms. Tahlia Ali Shah Research Assistant BCRC for Training and Technology Transfer for the Caribbean 8 Alexandra Street, St. Clair Port of Spain Trinidad Tel.: +1 868 628 8369 Email: tahlia.alishah@bcrc-caribbean.org</p>	
---	--

Intergovernmental Organizations

<p>Africa Institute Mr. James Mulolo Projects Coordinator Africa Institute 473 Steve Bieko Road Arcadia 0001 Pretoria South Africa Tel.: +27 123 999866 Email: jmulolo@environment.gov.za</p>	<p>African Union Mr. Livingstone Sindayigaya AUC Multilateral Environmental Agreements Project African Union Commission African Union Commission, DREA, MEAs P.O.BOX 32 34 Addis Ababa Ethiopia Tel.: +251912852750 Email: SindayigayaL@africa-union.org</p>
--	--

Non-Governmental Organizations

<p>Agenda for Environment and Responsible Development (AGENDA) Mr. Haji Rehani Senior Program Office P.O. Box 77266 Dar es Salaam Tanzania Tel. : +255 222461052 Email: htrehani@yahoo.com</p>	<p>European Environmental Bureau Mrs. Elena Lymberidi-Settimo EEB Project Manager 'Zero Mercury Campaign' International Coordinator, Zero Mercury Working Group 34 Boulevard de Waterloo B-1000, Brussels Belgium Tel.: +32 22891301 Email: elena.lymberidi@eeb.org</p>
--	---

<p>African Center for Environmental Health Ms. Dominique Bally Kpokro Executive Director African Center for Environmental Health Appt B3, Riviera Bonoumin Ilot 10 Rue J3 Lot 139 BP 826 CIDEX 03, Abidjan Cote D'Ivoire Tel.: +225 0810 52 67 Email: ballynicus@hotmail.com</p>	<p>Ms. Anita Willcox Zero Mercury Campaign Intern European Environmental Bureau Zero Mercury Working Group 34 Boulevard de Waterloo B-1000, Brussels Belgium Tel.: +32 22891308 Email: anita.willcox@eeb.org</p>
<p>Centre for Environment Justice and Development (CEJAD) Mr. Griffins Ochieng Programmes Coordinator CEJAM 24464, 00100 Nairobi, Kenya Tel.: +254 726931318 Email: ogriffins@yahoo.com</p>	<p>Mercury Policy Project Mr. Michael Bender Director, Mercury Policy Project Coordinator, Zero Mercury Working Group 1420 North St. Montpelier, 05602 VT, USA Tel.: +1 802 223 9000 Email: mercurypolicy@aol.com</p>
<p>Centre de Recherche et d'Education pour le Développement (CREPD) Mr. Hamani Anatole Programme Officer CREPD P.O. Box : 2970 237 Yaoundé Cameroon Tel.: +237 698 77 86 82 Email: hamanisvet@yahoo.fr</p>	<p>National Association of Professional Environmentalists (NAPE) Mr. Geoffrey Kamese Nansove Senior Programme Officer NAPE P.O. Box 29909 256 Kampala Uganda Tel.: +256 774 609190 Email: kamese@nape.or.ug</p>
<p>Friends of the Nation Mr. Solomon Kusi Ampofo Natural Resources Governance Coordinator P.O. Box MC 11 Takoradi Ghana Tel.: +233 24 4055951 Email: kingsolo44@yahoo.co.uk</p>	<p>Pesticide Action Network – Mauritius (PANeM) Mr. Hemsing Hurrynag Project Manager Pesticide Action Network 140 Jackson Road 72324 Vacoas Mauritius Tel.: +230 5711600 Email: panadion@gmail.com</p>
<p>groundWork – Friends of the Earth South Africa Mr. Rico Euripidou Environmental Health Campaigner groundWork, Friends of the Earth South Africa 6 Raven Street 3200 Pietermaritzburg South Africa Tel.: +27 835193008 Email: rico@groundwork.org.za</p>	<p>Zero Mercury Working Group Ms. Rachel Kamande Consultant ZERO MERCURY WORKING GROUP WAMFD Toekomststraat 11/3 8310 Bruges Belgium Tel.: +32 477 36 7289 Email: rachelkamande@gmail.com</p>

<p>Sustainable Research and Action for Environmental Development (SRADev Nigeria) Mr. Aneshimode Adogame Executive Director SRADev Nigeria 18 Olorunlogbon Street, Anthony Village Lagos Nigeria Tel.: +234 8033301305 Email:ane_adogame@hotmail.com</p>	<p>World Alliance for Mercury Free Dentistry (WAMFD) Mr. Charles Brown President WAMFD 316 F St. NE, Suite 210 20002 Washington, D.C. USA Tel.: +1 202 544 6333 Email: Charlie@mercury-free.org</p>
<p>Swedish Society for Nature Conservation Mr. Jonny Andreas Prevodnik Policy Officer Chemicals Swedish Society for Nature Conservation Fendergatan 6 12071 Stockholm Sweden Tel.: +46 703769274 Email: andreas.prevodnik@ssnc.se</p>	

Other

<p>China Association for Medical Devices Industry Mrs. Xu Shan Secretary General CAMDI Room 1106, Building 18, Jian Wai SOHO, No.39 Middle Dongsanshuan Road, Chaoyang District Beijing China Tel.: +86 10 85659326 Email: xushan@camdi.org</p>	<p>Peking University School of Stomatology Mr. Shuguo Zheng Chairman, Professor Department of Preventive Dentistry, Peking University School of Stomatology 22 Zhongguancun Avenue South, Haidan District Beijing 100081 China Tel: +86 10 82195510 Email: zhengsg86@163.com</p>
<p>Mr. Shailand Gunnoo Consultant 24 Royal Road Eau – Coulee Curepipe 74321 Mauritius Tel.: +230 57779285 Email: shailand@hotmail.com</p>	<p>University of Mauritius Ms. Shivani Georgijevic Lecturer in Law Faculty of Law and Management University of Mauritius 80837 Reduit Mauritius Tel.: +230 4037529 Email: s.guness@umon.ac.mu</p>



Boulevard de Waterloo 34
B-1000 Brussels, BELGIUM

Tel +32 2 289 1090

www.zeromercury.org
eeb@eeb.org | www.eeb.org