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**United Nations
Environment
Programme**

**Conference of the Parties to the
Minamata Convention on Mercury
First meeting**

Geneva, 24–29 September 2017

Item 5 (c) (i) of the provisional agenda*

**Matters for action by the Conference of the Parties at its
first meeting: matters recommended by the
intergovernmental negotiating committee: adoption of
forms to be used in requesting an exemption from the
phase-out dates listed in Annex A and Annex B**

**Formats to be used in registering an exemption from the
phase-out dates listed in Annex A and Annex B, including the
information to be provided upon registering for an exemption,
and for the register of exemptions**

Note by the secretariat

1. Paragraph 1 of article 6 of the Minamata Convention on Mercury provides that any State or regional economic integration organization may register for one or more exemptions from the phase-out dates listed in Annex A, for mercury-added products, and Annex B, for manufacturing processes in which mercury or mercury compounds are used, by notifying the secretariat in writing either on becoming a party to the Convention or, in the case of any amendment to Annex A or Annex B, no later than the date upon which the applicable amendment enters into force for the party. Any such registration shall be accompanied by a statement explaining the party's need for the exemption. As per paragraph 2 of article 6, an exemption may be registered either for a category listed in Annex A or Annex B or for a subcategory identified by any State or regional economic integration organization.
2. Paragraph 3 of article 6 of the Convention further provides that each party that has one or more exemptions shall be identified in a register and that the secretariat shall establish and maintain the register and make it available to the public. As is indicated in paragraph 4 of article 6, the register shall include a list of the parties that have one or more exemptions, the exemption or exemptions registered for each party, and the expiration date of each exemption.
3. By paragraph 5 of its resolution on arrangements in the interim period (UNEP(DTIE)/Hg/CONF/4, annex I), the Conference of Plenipotentiaries on the Minamata Convention decided that the intergovernmental negotiating committee to prepare a global legally binding instrument on mercury should develop, and adopt on a provisional basis pending a decision by the Conference of the Parties at its first meeting, those items necessary for the effective implementation of the Convention upon its entry into force, including in particular the format for registering for exemptions, the information to be provided upon registering for an exemption, and the register of exemptions to be maintained by the secretariat.

* UNEP/MC/COP.1/1.

4. Following that request, the committee at its sixth session developed and adopted on a provisional basis, pending consideration and possible adoption by the Conference of the Parties at its first meeting, two formats for the registration of exemptions upon becoming a party from the phase-out dates listed in the Convention, one for the mercury-added products listed in part I of Annex A and another for the manufacturing processes in which mercury or mercury compounds are used listed in part I of Annex B; and two formats for the register of exemptions to be maintained by the secretariat, one for each of the two annexes. Included in the format for the registration of exemptions are the requirements for the information to be provided upon registering for an exemption. The provisionally adopted formats are reproduced in annex II to the present note, without formal editing.

Suggested action by the Conference of the Parties

5. A draft decision on the formats for registering for exemptions, including the information to be provided upon registering for an exemption, and on the formats for the register of exemptions is set out in annex I to the present note.

6. The Conference of the Parties may wish to consider and adopt the draft decision set out in annex I and the provisionally adopted formats as put forward by the committee, which are set out in annex II.

Annex I

Draft decision MC-1/XX: Formats to be used in registering for an exemption from the phase-out dates listed in Annex A and Annex B and for the register of exemptions

The Conference of the Parties

1. *Adopts* the formats for registering for an exemption pursuant to paragraphs 1 and 2 of article 6, as set out in the annex to the present decision;
2. *Also adopts* the formats for the register of exemptions pursuant to paragraphs 3 and 4 of article 6, as set out in the annex to the present decision;
3. *Requests* the secretariat to make available to States and regional economic integration organizations the above-mentioned formats for registering for an exemption;
4. *Instructs* the secretariat to establish the register of exemptions as per the above-mentioned formats, maintain the register and make it available to the public.

Annex II

Proposed format for the registration of exemptions for the products and processes listed in Part I of Annexes A and B

Annex A: Mercury-added products

REGISTRATION OF EXEMPTION FOR ARTICLE 4		
PARTY:		
The Secretariat of the Minamata Convention is hereby notified of the registration of the following exemption pursuant to paragraph 1 of article 6 of the Convention. No exemption is required for products excluded from Annex A.		
Mercury added products, as listed in Part I of Annex A	Indicate the category or subcategory for which the exemption is being registered, and whether it is for manufacture, import and/or export.	Duration of exemption (if less than five years past the 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%		
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		
Compact fluorescent lamps (CFLs) for general lighting purposes that are ≤ 30 watts with a mercury content exceeding 5 mg per lamp burner		
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		
High pressure mercury vapour lamps (HPMV) for general lighting purposes		
Mercury in cold cathode fluorescent lamps and external electrode fluorescent lamps (CCFL and EEFL) for electronic displays: (a) short length (≤ 500 mm) with mercury content exceeding 3.5 mg per lamp (b) medium length (> 500 mm and ≤ 1,500 mm) with mercury content exceeding 5 mg per lamp (c) long length (> 1,500 mm) with mercury content exceeding 13 mg per lamp		

REGISTRATION OF EXEMPTION FOR ARTICLE 4			
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			
Pesticides, biocides and topical antiseptics			
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.			
Please attach the explanatory statement on the need for an exemption, one statement per individual product category listed in Part I of Annex A. As part of, or in addition to, the explanation of the need for the exemption, a registering Party may include, as appropriate, the following information: <ul style="list-style-type: none"> any timetable or plan of action to phase out the import, export, or manufacture or to adjust manufacturing specifications to comply with the mercury concentrations for products set out in Annex A; and information on the level of stocks of the product available nationally. 			
THIS NOTIFICATION IS SUBMITTED BY:			
Job title:			
Institution/department:			
Address:			
Telephone:	Fax:	E-mail address:	
Contact name:		Date: (dd/mm/yyyy)	
PLEASE RETURN THE COMPLETED FORM TO:			
Secretariat of the Minamata Convention on Mercury United Nations Environment Programme (UNEP) International Environment House 11-13, Chemin des Anémones, CH-1219 Châtelaine, Geneva, Switzerland		Fax: +41 22 797 3460 Email: mercury.chemicals@unep.org	

¹ The intention is not to cover cosmetics, soaps or creams with trace contaminants of mercury.

Annex B: Processes that use mercury

REGISTRATION OF EXEMPTION FOR ARTICLE 5		
PARTY:		
The Secretariat of the Minamata Convention is hereby notified of the registration of the following exemption pursuant to paragraph 1 of article 6 of the Convention.		
Manufacturing processes using mercury or mercury compounds set out in part I of Annex B	Indicate the category or subcategory for which the exemption is registered.	Duration of exemption (if less than five years past the phase-out date)
Chlor-alkali production		
Acetaldehyde production in which mercury or mercury compounds are used as a catalyst		
Please attach an explanatory statement on the need for the exemption, one statement per process category.		
As part of, or in addition to, the explanation of the need for the exemption, the registering Party may include, as appropriate, the following information:		
<ul style="list-style-type: none"> • any timetable or plan of action to phase out the use of mercury in facilities; and • identification of the facilities for which an exemption is being registered, including the capacity of the facilities and the expected annual use of mercury by the facilities. 		
THIS NOTIFICATION IS SUBMITTED BY:		
Job title:		
Institution/department:		
Address:		
Telephone:	Fax:	E-mail address:
Contact name:		Date: (dd/mm/yyyy)
PLEASE RETURN THE COMPLETED FORM TO:		
Secretariat of the Minamata Convention on Mercury United Nations Environment Programme (UNEP) International Environment House 11–13, Chemin des Anémones, CH–1219 Châtelaine, Geneva, Switzerland		Fax: +41 22 797 3460 Email: mercury.chemicals@unep.org

**Proposed format for the register of exemptions from the phase-out dates listed
in Part I of Annex A to the
Minamata Convention on Mercury**

<i>Party</i>	<i>Indicate the specific category/subcategory for which the exemption is registered and whether the exemption is for manufacture, import and/or export.</i>	<i>Explanation for the exemption</i> <i>As provided (this would be a hyperlink to the statement as provided by the Party)</i>	<i>Expiry date for the exemption^a</i>
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^a Unless otherwise indicated by the Party, all exemptions expire five years after the relevant phase-out date listed in Part I of Annex A.

**Proposed format for the register of exemptions from the phase-out dates listed in
Part I of Annex B to the
Minamata Convention on Mercury**

<i>Party</i>	<i>Specific category/subcategory for which an exemption is registered</i>	<i>Explanation for the exemption</i> <i>As provided (this would then be a hyperlink to the statement as provided by the Party)</i>	<i>Expiry date for the exemption^a</i>
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^a Unless otherwise indicated by the Party, all exemptions expire five years after the relevant phase-out date listed in Part I of Annex B.