

**MINAMATA
CONVENTION
ON MERCURY**

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

Geneva, 30 October–3 November 2023
Item 4 (b) of the provisional agenda*

**Matters for consideration or action by the Conference
of the Parties: mercury-added products and
manufacturing processes in which mercury or mercury
compounds are used: amendment to annexes A and B,
and consideration of the feasibility of mercury-free
alternatives for manufacturing processes listed in
annex B**

**Information on the entry into force of amended annex A to the
Minamata Convention on Mercury****Note by the secretariat**

1. At its fourth meeting, by decision MC-4/3, the Conference of the Parties to the Minamata Convention on Mercury decided to amend part I of annex A to the Convention by adding eight new mercury-added products, with the effect that the manufacture, import and export of those products would not be allowed after 2025. The Conference of the Parties further decided to amend part II of annex A to the Convention by adding two additional provisions on dental amalgam.
2. Article 26 of the Convention sets out the provisions for the proposal, adoption and entry into force of amendments to the Convention, while article 27 provides for the proposal, adoption and entry into force of additional annexes, and also of amendments to existing annexes to the Convention. According to paragraph 4 of article 27, the entry into force of amendments to existing annexes to the Convention shall be subject to the same procedures as the entry into force of additional annexes.
3. Accordingly, the following procedures shall apply to the entry into force of amendments to existing annexes to the Convention:
 - (a) Any party that is unable to accept an amendment to an existing annex shall so notify the Depositary, in writing, within one year of the date of communication by the Depositary of the adoption of the amendment in question. The Depositary shall without delay notify all parties of any such notification received. A party may at any time notify the Depositary, in writing, that it withdraws a previous notification of non-acceptance of an amendment to an annex, and the amended annex shall thereupon enter into force for that party subject to subparagraph 3 (c) of article 27.
 - (b) On the expiry of one year from the date of the communication by the Depositary of the adoption of an amendment to an existing annex, the amended annex shall enter into force for all parties that have not submitted a notification of non-acceptance in accordance with the provisions of subparagraph 3 (b) of article 27.

* UNEP/MC/COP.5/1.

4. The Depositary's communication of the amendment adopted at the fourth meeting of the Conference of the Parties was issued on 28 September 2022. As at 28 September 2023, the Depositary had received one notification of non-acceptance, from China, in respect to the amendment adopted at the fourth meeting of the Conference of the Parties. Furthermore, paragraph 4 of article 27 specifies that, as an exception to the procedures that apply to the entry into force of additional annexes, an amendment to an existing annex shall not enter into force with regard to any party that has made a declaration with regard to amendment of annexes in accordance with paragraph 5 of article 30, in which case any such amendment shall enter into force for such a party on the ninetieth day after the date on which it has deposited with the Depositary its instrument of ratification, acceptance, approval or accession in respect of such amendment.

5. As at 28 September 2023, the Depositary had not received any instrument of ratification, acceptance, approval or accession in respect of the amendment adopted at the fourth meeting of the Conference of the Parties.

6. Accordingly, the amendment adopted at the fourth meeting of the Conference of the Parties entered into force on 28 September 2023 for all parties except the following:

(a) One party that notified the Depositary in accordance with subparagraph 3 (b) of article 27 of the Convention (China);

(b) Parties that made a declaration in accordance with paragraph 5 of article 30 of the Convention with regard to the amendment of the annex (Argentina, Armenia, Canada, Czechia, Germany, India, Iran (Islamic Republic of), Jamaica, Malawi, Mauritius, Namibia, Peru, Republic of Moldova, Seychelles, Suriname, Thailand, Türkiye, United States of America).

7. A table providing an overview of the status of entry into force, with the effective dates of such entry into force, of the amendment adopted at the fourth meeting of the Conference of the Parties is available on the Convention website.¹

¹ <https://minamataconvention.org/en/amendments>.