



13 July 2021

Committee Secretary
Joint Standing Committee on Treaties
PO Box 6021
Parliament House
Canberra ACT 2600
Via email: jsct@aph.gov.au

Dear Committee Secretary

The Minerals Council of Australia welcomes the opportunity to provide a submission to the Joint Standing Committee on Treaties in relation to the consideration of the Minamata Convention on Mercury (the Convention).

The MCA represents Australia's exploration, mining and minerals processing industry, nationally and internationally, in its contribution to sustainable development and society. MCA member companies are signatories to *Enduring Value – the Australian Minerals Industry Framework for Sustainable Development*, the principles of which are consistent with the United Nations' Sustainable Development Goals.¹

The MCA is also implementing the Towards Sustainable Mining (TSM), safety, environmental, social and governance (ESG) performance system. TSM will help companies evaluate, manage and consistently communicate site level sustainability performance. TSM is independently verified and will reinforce the sector's commitment to continual improvement in ESG performance.

The MCA supports Australia's ratification of the Convention and recognises the importance of protecting human health and the environment from anthropogenic emissions. With 131 parties having ratified the Convention as at 30 June 2021, it is important the Australian Government make a decision on ratification in the near future as this would provide Australia with voting rights and a stronger voice in the development of guidance material for the Convention.

For example, it is understood that guidance material on mine tailings will be considered by the Conference of Parties (COP) to the Convention in early 2022. To ensure Australia's interests are represented on this issue it would be desirable for a decision on ratification to occur within a timeframe that allows Australia to participate in these and other deliberations, if the government intends to ratify the Convention.

The MCA has engaged with the government throughout the review of the Convention. Accordingly, the MCA wishes to take this opportunity to note several issues raised through this review process. These factors below will be important should the Australian Government decide to ratify the Convention.

¹ Minerals Council of Australia, [Enduring Value Framework](#), 2015 Edition, MCA, Canberra, 2015

An efficient approach to implementation

In line with the findings of the Final Regulation Impact Statement (RIS), Convention requirements should be implemented in an efficient manner, avoiding unnecessary complexity and associated cost impacts to business. A harmonised approach should be adopted and changes to legislation should avoid duplication of state and territory requirements.

The MCA encourages the Australian Government to work with state and territory governments and relevant stakeholders to ensure efficient and effective fulfilment of the Conventions requirements.

Commit to consult on Implementation Plan and any National Action Plans

The MCA encourages the Australian Government to consult the minerals industry and other stakeholders in implementation planning (under Article 20) and the development of any National Action Plans under the Convention.

Management and disposal of by-product mercury waste

In line with RIS findings, Australia has in place strong emissions standards. Furthermore, the minerals industry has made significant investments to improve air emissions, especially as it relates to mineral processing (i.e. the Gidji gold roasting facility).

Processes designed to reduce atmospheric emissions may result in the enhanced capture of mercury waste by-product, which in turn requires safe storage/disposal. Minerals companies may prefer to 'retire' mercury waste (safe disposal) as opposed to recycling and repurposing mercury waste. However, there are currently limited safe storage/disposal options in Australia for mercury waste.

Improvements in mercury capture will require disposal options. The MCA considers a nationally coordinated approach will be needed to address the issue of domestic disposal of mercury waste. In the absence of domestic disposal, companies will need to access international service providers.

Should you have any questions, please do not hesitate to contact Chris McCombe – General Manager, Sustainability on 02 6233 0627 or via email chris.mccombe@minerals.org.au.

Yours sincerely


**TANIA CONSTABLE PSM
CHIEF EXECUTIVE OFFICER**