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# COUNCIL DECISION (EU) 2025/2258

## of 31 October 2025

## on the position to be taken on behalf of the European Union at the sixth meeting of the Conference of the Parties to the Minamata Convention on Mercury as regards the adoption of decisions amending Annexes A and B to that Convention on mercury-added products and manufacturing processes in which mercury or mercury compounds are used

THE COUNCIL OF THE EUROPEAN UNION,

Having regard to the Treaty on the Functioning of the European Union, and in particular Article 192(1), in conjunction with Article 218(9) thereof,

Having regard to the proposal from the European Commission,

Whereas:

(1) The Minamata Convention on Mercury ([1]) (the 'Convention') was concluded by the Union by Council Decision (EU) 2017/939 ([2]) and entered into force on 16 August 2017.

(2) Pursuant to Article 27 in conjunction with Article 26 of the Convention, the Conference of the Parties is empowered to adopt decisions adopting new Annexes to the Convention and amending its existing Annexes.

(3) The sixth meeting of the Conference of the Parties to the Convention (the 'COP 6'), which is to take place from 3 to 7 November 2025, is expected to adopt one or more decisions to amend Annexes A and B to the Convention. Annex A contains a list of mercury-added products that are subject either to a manufacturing, import and export prohibition at a specified date or to mercury-regulating measures. Annex B contains a list of manufacturing processes using mercury or mercury compounds ('mercury processes') that are subject to an obligation to cease mercury use on a specific date or to mercury-regulating requirements.

(4) It is appropriate to establish the position to be taken on the Union's behalf at the COP 6, as the envisaged acts of the COP 6 will have legal effects.

(5) The position of the Union at the COP 6 should be to support the adoption of decisions that are consistent with the Union *acquis*, thereby aiming to narrow the gap between Union law and the Convention. This should include supporting the prohibition of dental amalgam whilst maintaining the exemption for dental amalgam necessary for specific medical needs, as set out in Article 10(2a) of Regulation (EU) 2017/852 of the European Parliament and of the Council ([3]). The Union should also support decisions regarding mercury processes already prohibited under Regulation (EU) 2017/852. Those decisions should either phase those processes out by specified dates or introduce stricter requirements regulating mercury use for those processes,

HAS ADOPTED THIS DECISION:

*Article 1*

The position to be taken on the European Union's behalf at the sixth meeting of the Conference of the Parties to the Minamata Convention on Mercury (the 'Convention') shall be to support the adoption of:

(a) decisions amending Annex A to the Convention consistent with the Union *acquis* on dental amalgam; and

(b) decisions amending Annex B to the Convention to ensure that mercury processes that are already prohibited under Regulation (EU) 2017/852 are phased out by specified dates or made subject to stricter requirements regulating mercury use.

([1]) OJ L 142, 2.6.2017, p. 6.
([2]) Council Decision (EU) 2017/939 of 11 May 2017 on the conclusion on behalf of the European Union of the Minamata Convention on Mercury (OJ L 142, 2.6.2017, p. 4, ELI: http://data.europa.eu/eli/dec/2017/939/oj).
([3]) Regulation (EU) 2017/852 of the European Parliament and of the Council of 17 May 2017 on Mercury, and repealing Regulation (EC) No 1102/2008 (OJ L 137, 24.5.2017, p. 1, ELI: http://data.europa.eu/eli/reg/2017/852/oj).

*Article 2*

Refinement of the position referred to in Article 1 may be agreed to, in light of developments at the sixth meeting of the Conference of the Parties to the Convention, by representatives of the Union, in consultation with Member States during on-the-spot coordination meetings, without further decision of the Council.

*Article 3*

This Decision shall enter into force on the date of its adoption.

Done at Brussels, 31 October 2025.

*For the Council*

*The President*

M. BJERRE