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**United Nations
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**Conference of the Parties to the
Minamata Convention on Mercury
Third meeting**
Geneva, 25–29 November 2019
Item 9 of the provisional agenda*
Other matters

Reporting

Note by the secretariat

1. Pursuant to article 21, on reporting, of the Minamata Convention on Mercury, each party to the Convention is to report to the Conference of the Parties on the measures it has taken to implement the provisions of the Convention, on the effectiveness of such measures and on possible challenges in meeting the objectives of the Convention.
2. In its decision MC-1/8, on the timing and format of reporting by the parties, the Conference of the Parties, at its first meeting, adopted the format for reporting set forth in the annex to the decision and decided that each party was to report every four years using the full format and every two years with respect to the four questions marked by an asterisk in that format.
3. In the same decision, the Conference of the Parties decided on the following deadlines with regard to reporting:
 - (a) Deadline for the first biennial short report: 31 December 2019;
 - (b) Deadline for the first full report: 31 December 2021.
4. In order to assist parties in the preparation of information and input for the first biennial short report, the annex to the present note sets out information on the reporting tool together with answers to frequently asked questions with respect to the four questions mentioned above, reporting on which is due by 31 December 2019. The annex is presented without formal editing.

* UNEP/MC/COP.3/1.

Annex

Information for Reporting 2019

Minamata Convention on Mercury



GENERAL INFORMATION

The **purpose** of this document is to provide information to assist Parties in reporting under Article 21 of the Minamata Convention on Mercury.

REPORTING OBLIGATION

Pursuant to Article 21, each Party to the Convention shall report to the Conference of the Parties on the measures it has taken to implement the provisions of the Convention, on the effectiveness of such measures and on possible challenges in meeting the objectives of the Convention.

In MC-1/8 on the *Timing and format of reporting by the Parties*, the Conference of the Parties at its first meeting (2017) agreed on the full format of reporting and decided that each Party shall report every four years using the full format and report every two years on four questions marked by an asterisk in the full format.

The Conference of the Parties further decided on the following timing with regards to the short and full reporting:

- Deadline for the first biennial short report: 31 December 2019
- Deadline for the first full report: 31 December 2021

To assist Parties in the preparation of information and input for the first biennial short report, this document sets out Frequently Asked Questions on the four questions due by 31 December 2019.

REPORTING TOOL

Parties are invited to report through an electronic questionnaire tool. The tool follows the reporting format agreed by the Conference of Parties and is available in the six official languages of the UN. The National Focal Point of each Party has received the login credentials to submit the report.

If your National Focal Point has not received the credentials, or if your Government is unaware whom the credentials have been sent to, please immediately alert MEA-MinamataSecretariat@un.org.

For all accompanying information to assist your Government to complete the reporting, please visit our website <http://www.mercuryconvention.org> under **countries/reporting** or link directly to <http://bit.ly/minamata-reporting>. Here you will find downloadable in all UN languages the full reporting format, as well as the forms and guidance as adopted at the first meeting of the Conference of the Parties.

Should you have any questions, please contact us at MEA-MinamataSecretariat@un.org

Secretariat of the Minamata Convention, 19 November 2019

Article 3: Mercury Supply Sources and Trade

1. Does the Party have any primary mines that were operating within its territory at the date of entry into force of the Convention for the Party? (Para. 3.)

Yes

No

If yes, please indicate

c) *Total amount mined _____ metric tons per year

Article 3 Mercury Supply Sources and Trade

Para 3. Each Party shall not allow primary mercury mining that was not being conducted within its territory at the date of entry into force of the Convention for it.

FAQs

1. What is primary mercury mining?

Article 2 (i) of the Convention defines primary mercury mining as "mining in which the principal material sought is mercury."

2. What is the definition of mercury and mercury compounds?

For the purpose of the Minamata Convention, the word "mercury" is defined as elemental mercury (Hg (0), CAS No. 7439-97-6). Adding to that, for the purpose of Article 3, "mercury" is defined to include mixtures of mercury with other substances, including alloys of mercury with a mercury concentration of at least 95 per cent by weight. "Mercury Compounds" is defined as a substance consisting of atoms of mercury and one or more atoms of other chemical elements that can be separated into different components only by chemical reactions. Article 3 defines mercury compounds more narrowly, and for the purpose of this Article, they are limited to mercury (I) chloride (known also as calomel), mercury (II) oxide, mercury (II) sulphate, mercury (II) nitrate, cinnabar and mercury sulphide (*please refer to the table below*). The Article does not cover "quantities of mercury or mercury compounds to be used for laboratory-scale research or as a reference standard", "naturally occurring trace quantities of mercury or mercury compounds present in such products as non-mercury metals, ores, or mineral products, including coal, or products derived from these materials, and unintentional trace quantities in chemical products", or "mercury-added products."

Name	Chemical Formula	Other Names	CAS Number

Mercury (I) chloride	Hg ₂ Cl ₂	mercurous chloride, calomel	10112-91-1
Mercury (II) oxide	HgO	mercuric oxide or simply mercury oxide	21908-53-2
Mercury (II) sulphate	HgSO ₄	Mercury (II) sulfate, mercuric sulfate	7783-35-9
Mercury (II) nitrate	Hg(NO ₃) ₂	mercury dinitrate, mercuric nitrate	10045-94-0, 7783-34-8
Mercury sulphide	HgS	mercuric sulfide, mercury sulfide, mercury (II) sulfide, cinnabar, vermillion	1344-48-5

3. What information is the Party expected to provide per year, and what information is the Party expected to provide if the data for full year is unavailable

Parties are to indicate the total amount mined for 2017, 2018, and 2019, depending on when the Convention entered into force for that Party. If a full year of data is unavailable, Parties are invited to provide an explanation in the comment section.

Did you know?

- According to the UNEP report on Global Mercury Supply, Trade and Demand (2017), mercury is mined in China, Mexico, Indonesia, and the Kyrgyz Republic.
- Two mercury sites have been listed on the UNESCO Heritage List. "Almadén and Idrija" is a joint UNESCO World Heritage site in Almadén, Castile-La Mancha, Spain, and Idrija, Slovenia.
- The Idrija Mercury Mine was one of the best technically equipped mines in Europe until World War I. It closed in 1995 but some of its shafts and facilities have remained open for tourists. Today the company's main task is and to manage the consequences of 500-years mining, to secure the shafts and to monitor the possible pollution to the environment.



The majority of the tunnels in the mine are supported by wooden beams
© Idrija Mercury Mine

Article 3: Mercury Supply Sources and Trade

3. Has the Party endeavoured to identify individual stocks of mercury or mercury compounds exceeding 50 metric tons and sources of mercury supply generating stocks exceeding 10 metric tons per year that are located within its territory? (Para. 5.)

Yes

No

- a) *If the Party answered Yes to Question 3 above:
- i. Please attach the results of your endeavour or indicate where it is available on the internet, unless unchanged from a previous reporting round.
 - ii. Supplemental: Please provide any related information, for example on the use or disposal of mercury from such stock and sources.

Article 3 Mercury Supply Sources and Trade

Para 5. Each Party shall:

- (a) endeavour to identify individual stocks of mercury or mercury compounds exceeding 50 metric tons, as well as sources of mercury supply generating stocks exceeding 10 metric tons per year, that are located within its territory;
- (b) Take measures to ensure that, where the Party determines that excess mercury from the decommissioning of chlor-alkali facilities is available, such mercury is disposed of in accordance with the guidelines for environmentally sound management referred in paragraph 3 (a) of Article 11, using operations that do not lead to recovery, recycling, reclamation, direct re-use or alternative uses.

Available COP Guidance

In MC-1/2 on *Guidance in relation to mercury supply sources and trade*, the Conference of the Parties at its first meeting (2017) adopted Guidance on the identification of individual stocks of mercury or mercury compounds exceeding 50 metric tons and sources of mercury supply generating stocks exceeding 10 metric tons per year.

FAQs

1. What if the individual stocks are in different locations?

As mentioned in paragraph 7 of the Guidance in relation to individual stocks of mercury or mercury compounds exceeding 50 metric tons, an individual stock of mercury and mercury compounds could be considered to be the total quantity under the control of a Party. An entity storing mercury in different locations will consider them combined as an individual stock. If an entity has two or more facilities within a Party's territory and the sum total of their mercury stocks exceeds 50 metric tons, then this stock is to be included in the report.

2. What are the examples of entities or facilities that might own individual stocks?

As mentioned in paragraph 9 of the Guidance, in determining the levels of mercury stocks at any given time, initial actions will rely on the identification of entities that may store or use mercury and related facilities. Such entities and facilities might include:

- (a) Mercury traders that buy and sell, including through imports and exports, mercury or mercury compounds and may have varying amounts on hand at any time;
- (b) Primary mercury mines, which may have stocks of mercury awaiting sale and therefore may have large quantities on hand at certain times, depending on demand;
- (c) Other facilities or activities – for instance recycling – that produce mercury or mercury compounds, including mercury waste treatment facilities, which may also have large stocks on hand, depending on the overall mercury demand or on whether mercury is held pending a final decision on whether it is destined for disposal;
- (d) National Governments, which may have stocks of mercury on hand resulting from the seizure of mercury and from authorized uses such as military storage;
- (e) Production facilities for mercury-added products or facilities that use processes that use mercury or mercury compounds, which may also maintain significant stocks of mercury depending on the supply chain and current demand.

3. How does one identify stocks of mercury and mercury compounds exceeding 50 metric tons?

Paragraph 16 of the Guidance provides guiding questions that might assist in determining whether a Party has stocks of mercury or mercury compounds exceeding 50 metric tons.

4. How should sources of mercury supply generating stocks exceeding 10 metric tons per year be identified ?

There are a number of possible sources of mercury supply within the territory of a Party that may generate stocks exceeding an aggregate weight of 10 metric tons per year pursuant to Article 3. Guiding questions to the identification are suggested in parts (c), (d) and (e) in paragraph 16 of the Guidance. Sources do not include imports of mercury or mercury compounds as such imports are not sources located within the territory of the Party.

Did you know?

- Smaller quantities of mercury are held in storage in hospitals, schools, universities, research laboratories, maintenance facilities and dental clinics.
- According to the UNEP report on Global Mercury Supply, Trade and Demand (2017), mercury supply sources other than primary mercury mining for 2015 include by-product mercury from non-ferrous ores, oil and gas (440 tons), chlor-alkali residual mercury (370 tons) and recycling (1040 tons).

Article 3: Mercury Supply Sources and Trade

5. *Has the Party received consent, or relied on a general notification of consent, in accordance with article 3, including any required certification from importing non-Parties, for all exports of mercury from the Party's territory in the reporting period. (Para. 6, para. 7.)

- Yes, exports to Parties
- Yes, exports to non-Parties
- No

If yes,

- a) And the Party has submitted copies of the consent forms to the secretariat, then no further information is needed.

If the Party has not previously provided such copies, it is recommended that it do so.

Otherwise, please provide other suitable information showing that the relevant requirements of paragraph 6 of article 3 have been met.

Supplemental: please provide information on the use of the exported mercury.

- b) If exports were based on a general notification in accordance with article 3, paragraph 7, please indicate, if available, the total amount exported and any relevant terms or conditions in the general notification related to use.

Article 3 Mercury Supply Sources and Trade

Para. 6. Each Party shall not allow the export of mercury except:

- a) To a Party that has provided the exporting Party with its written consent, and only for the purpose of:
 - i. A use allowed to the importing Party under this Convention;
 - ii. Environmentally sound interim storage as set out in Article 10;
- b) To a non-Party that has provided the exporting Party with its written consent, including certification demonstrating that:
 - i. The non-Party has measures in place to ensure that protection of human health and the environment and to ensure its compliance with the provisions of Articles 10 and 11; and
 - ii. Such mercury will be used only for a use allowed to a Party under this Convention or for environmentally sound interim storage as set out in Article 10.

Para. 7. An exporting Party may rely on a general notification to the Secretariat by the importing Party or non-Party as the written consent required by paragraph 6. Such general notification shall set out any terms and conditions under which the importing Party or non-Party provides its

consent. The notification may be revoked at any time by that Party or non-Party. The Secretariat shall keep a public register of all such notifications.

Available COP Guidance

In MC-1/2 on *Guidance in relation to mercury supply sources and trade*, the Conference of the Parties at its first meeting (2017) adopted the following four forms:

Form A: Form for the provision of written consent by a Party to the import of mercury

Form B: Form for the provision of written consent by a non-Party to the import of mercury

Form C: Form for non-Party certification of the source of mercury to be exported to a Party – To be used in conjunction with Form A and Form D, when required

Form D: Form for general notification of consent to import mercury

Furthermore, in MC-1/2 on *Guidance in relation to mercury supply sources and trade*, the Conference of the Parties also adopted Guidance on completing the forms required under Article 3 related to trade in mercury & Forms relating to Article 3 on mercury supply sources and trade.

FAQs

1. What is the information source for responding to this question?

Article 3 requires Parties not to allow the export of mercury, except in cases where the exporting Party has obtained written consent from the importing Party or importing non-Party, and only for use allowed under the Convention. In MC-1/2 on *Guidance in relation to mercury supply sources and trade*, the Conference of the Parties at its first meeting (2017) adopted four forms as listed above to obtain written consent for the export of mercury. The Conference also adopted guidance on the forms. The import consent forms include a section requiring the importing Party or non-Party to identify the intended use of the imported mercury.

2. What are the allowed uses of mercury under the Minamata Convention?

A Party can only import mercury for the purpose of using it in a way that is allowed under the Convention. Article 2 (k) defines "use allowed" as any use by a Party of mercury or mercury compounds consistent with the Convention, including, but not limited to, uses consistent with Article 3 (Mercury supply sources and trade), Article 4 (Mercury-added products), Article 5 (Manufacturing processes in which mercury or mercury compounds are used), Article 6 (Exemptions available to a Party upon request) and Article 7 (Artisanal and small-scale gold mining).

In accordance with paragraph 4 of Article 3, allowed uses are further restricted with respect to mercury from "primary mercury mining that was being conducted within the territory [of the Party] at the date of entry into force of the Convention for a period up to 15 years after that date." In this case the only allowed uses are for manufacturing of mercury-added products (Article 4) and manufacturing processes (Article 5), otherwise the mercury is to be disposed of (Article 11). Therefore, mercury from primary mercury mining cannot be used in, or exported for, artisanal and small-scale gold mining.

A Party can import mercury for the purpose of environmentally sound interim storage as set out in Article 10.

Did you know?

- In 2008, the United States of America introduced its Mercury Export Ban Act, which banned the export of mercury from the USA on 1 January 2013. It also included provisions on long-term mercury management and storage. Implementation of the act removed a significant amount of mercury from the global market. The European Union (EU) banned mercury exports in 2011. Under EU law, mercury that is no longer used by the chlor-alkali industry or that is produced in certain other industrial operations must be put into safe storage. In 2017, Canada published the Export Control List Regulations prohibiting the export of mercury with limited exceptions.

Article 11: Mercury Wastes

2. *Are there facilities for final disposal of waste consisting of mercury or mercury compounds in the Party's territory?

- Yes
- No
- Do not know (*please explain*)

If yes, if the information is available, how much waste consisting of mercury or mercury compounds has been subjected to final disposal under the reporting period? Please specify the method of the final disposal operation/operations.

Article 11 Mercury Wastes

Para. 3. Each Party shall take appropriate measures so that mercury waste is:

- Managed in an environmentally sound manner, taking into account guidelines developed under the Basel Convention and in accordance with requirement that the Conference of the Parties shall adopt in an additional annex in accordance with Article 27. In developing requirements, the Conference of the Parties shall take into account Parties' waste management regulations and programmes;*
- Only recovered, recycled, reclaimed or directly re-used for a use allowed to a Party under this Convention or for environmentally sound disposal pursuant to paragraph 3 (a);*
- For Parties to the Basel Convention, not transported across international boundaries except for the purpose of environmentally sound disposal in conformity with this Article and with that Convention. In circumstances where the Basel Convention does not apply to transport across international boundaries, a Party shall allow such transport only after taking into account relevant international rules, standards, and guidelines.*

FAQs

1. What is a facility for final disposal of waste consisting of mercury or mercury compounds?

For a facility to be considered a facility for final disposal of waste consisting of mercury or mercury waste the facility is expected to be using the techniques outlined in the Basel

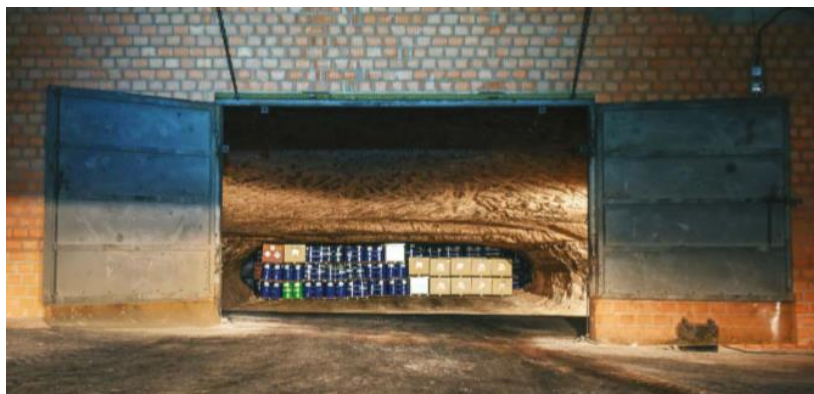
Convention's Technical Guidelines on the environmentally sound management of wastes consisting of, containing or contaminated with mercury or mercury compounds. These Technical Guidelines were adopted at the twelfth meeting of the Conference of the Parties to the Basel Convention and were further revised in 2015.¹ The Technical Guidelines describe physico-chemical treatment using stabilization and solidification processes, to meet the acceptance criteria of disposal facilities. As final disposal operations, the Technical Guidelines describe the methods for disposal in specifically engineered landfills and disposal in permanent storage (underground facilities) together with measures to be taken to prevent releases and methylation of stabilized compounds, to prevent fire, conduct long-term monitoring. It should be noted that the latter is different from interim storage under Article 10.

2. How does the Party report on the amount of waste containing mercury or mercury compounds in the Party's territory?

The Party is requested to report on the amount of waste containing mercury or mercury compounds in 2017, 2018 and 2019, reporting format requests information on facilities for final disposal of waste consisting of mercury or mercury compounds, that is facilities that are specifically engineered landfills or permanent storage. Voluntary reporting of information on stabilization and solidification facilities would also be useful.

Did you know?

- Underground waste disposal facilities in potash or rock salt mines are designed to hold toxic, water soluble and dangerous waste in a manner that is safe and assures the sustainable isolation of the waste from the biosphere. Germany has three underground disposal facilities that can accept mercury waste for permanent storage. The waste is placed at a depth of 700-800 metres and permanently sealed off from the environment by means of geological and artificial barriers. The mine areas are protected by 50-100 metres of salt beneath a 10-metre clay layer and 200-metre bunter stone layer.



Disposal chamber for mercury-contaminated wastes in the underground facility
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¹ www.basel.int/Implementation/TechnicalMatters/DevelopmentofTechnicalGuidelines/TechnicalGuidelines