

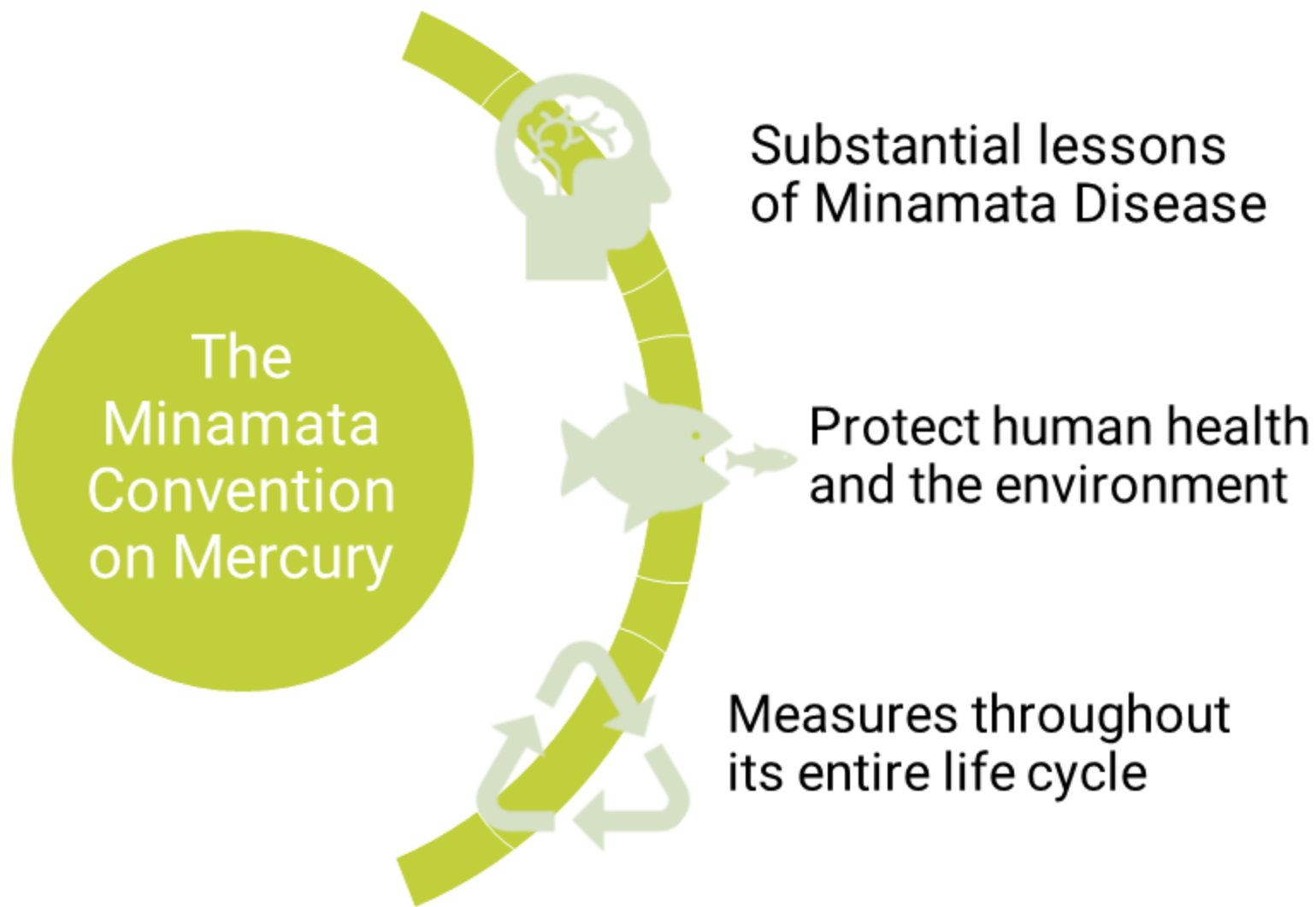


THE MINAMATA CONVENTION ON MERCURY



OUTLINES OF THE MINAMATA CONVENTION

The Minamata Convention on Mercury



Structure of Minamata Convention

General Provisions

Preamble: Background and principles
Article 1: Objective
Article 2: Definitions

Measures to reduce mercury risks

Articles 3-6: Supply, trade and use
Article 7: ASGM
Articles 8-9: Emissions, releases
Articles 10-11: Storage, waste
Article 12: Contaminated sites

Production, use



Life cycle management

Pollution, waste

Provisions facilitating the implementation of measures

Articles 13-14: Finance, technical assistance
Article 15: Implementation and compliance
Article 16: Health aspects
Articles 17-19: Information, awareness, research, monitoring
Articles 20-21: Planning, reporting

Overall management of the Convention

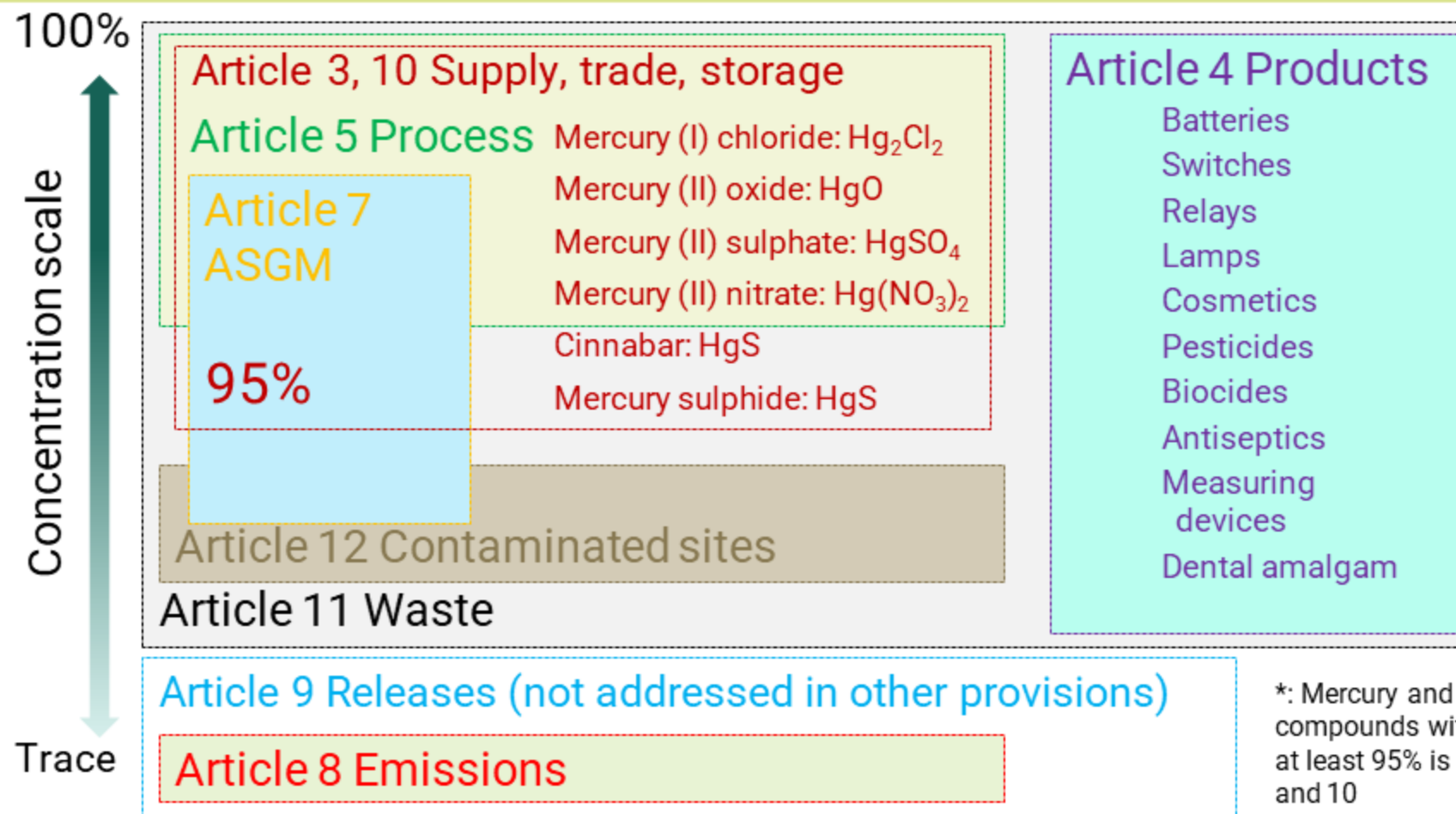
Article 22: Effectiveness evaluation
Articles 23-28: The COP, Secretariat, amendments, vote
Articles 29-35: Ratification, entry into force

Annex

Annexes A-D: Products, processes, ASGM and emission sources
Annex E: Arbitration and conciliation

Scope of each Article

Mercury (Hg)	Mercury compounds	Mercury-added products
Hg(0) CAS 7439-97-6 and its alloy	Substance Consisting of Hg atoms and other chemical elements	Products containing Hg or a compound intentionally added



*: Mercury and mercury compounds with the concentration at least 95% is subject to Article 3 and 10

The Minamata
Convention on
Mercury

Outlines of the
Minamata
Convention

MERCURY SUPPLY, TRADE AND USE

Article 3 Mercury Supply Sources, Trade

Necessary Actions

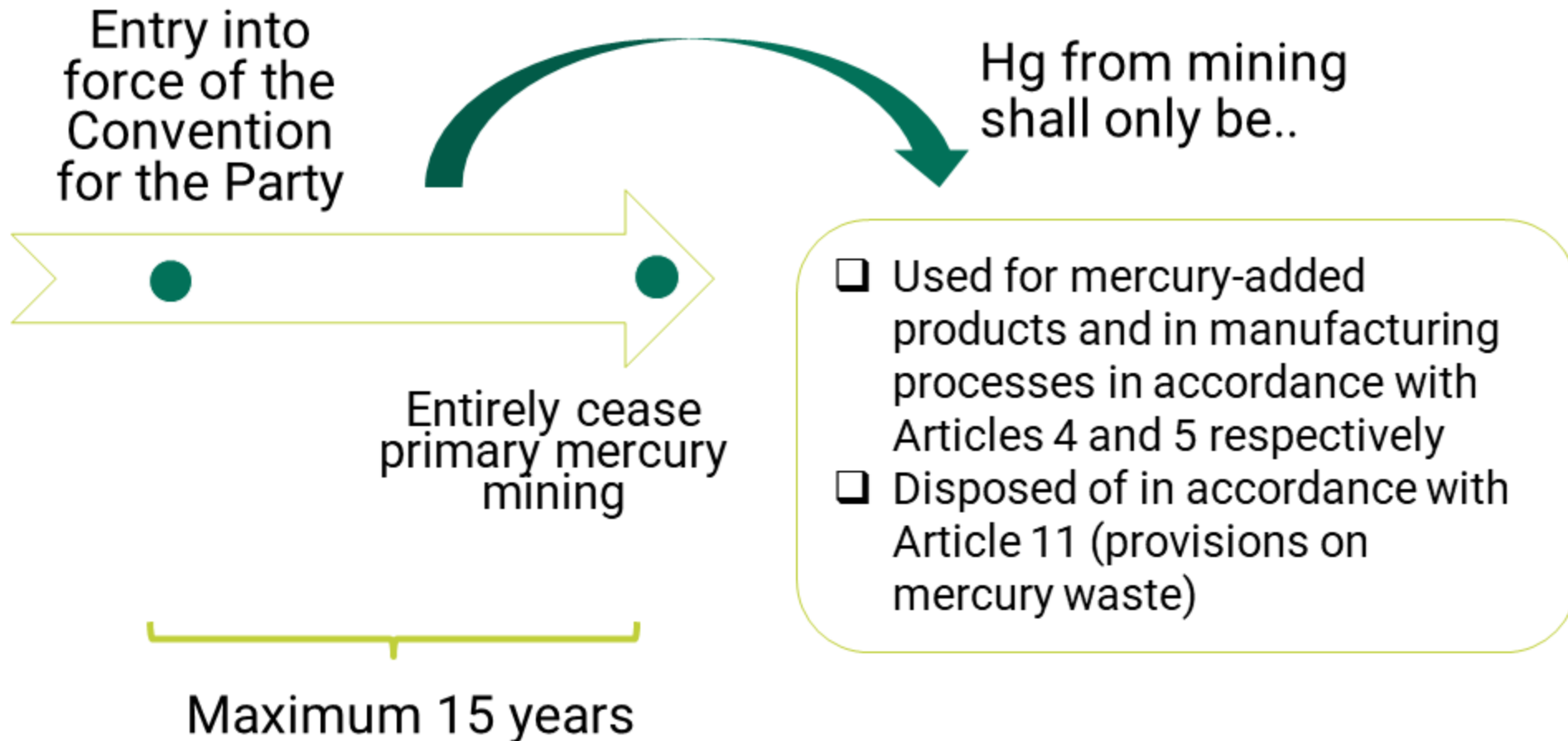
Each Party shall:

- Not allow new primary mercury mining.
- Only allow existing primary mercury mining operating for a maximum of 15 years after becoming a Party.
- 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.
- Take measures to ensure that excess mercury from the decommissioning of chlor-alkali facilities is disposed of.
- Not allow the export of mercury (unless some conditions stipulated in the Convention are met).
- Not allow the import of mercury from a non-Party (unless some conditions stipulated in the Convention are met).
- Include in its reports (Article 21) information showing that the above requirements have been met.

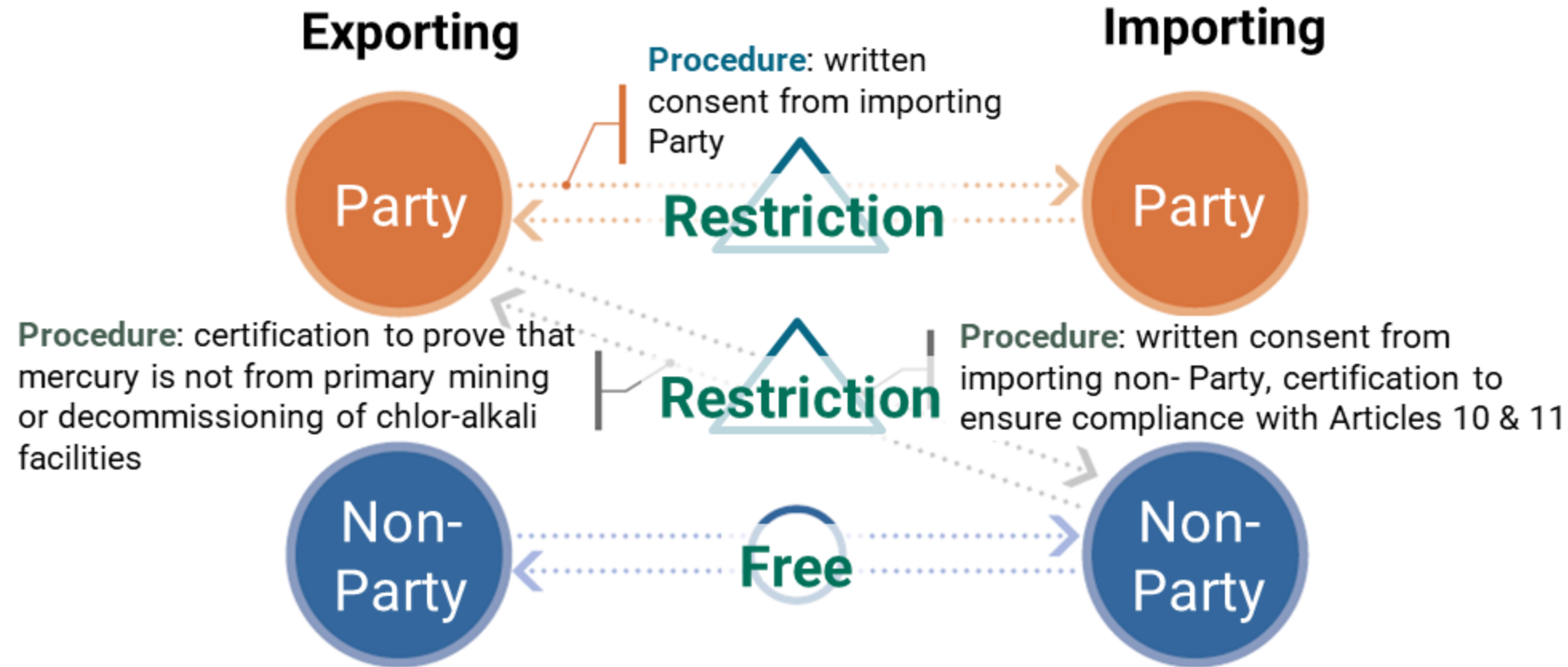


Primary Mercury Mining

Existing primary mercury mining is allowed for a period of up to 15 years after the entry into force of the Convention for the Party.



Restriction of Mercury Trade



Allowed Purposes

- Use allowed under the Convention (Article 3, 4, 5, 6, 7)
- Environmentally sound interim storage (Article 10)



Article 4 Mercury-added Products

Necessary Actions

Each Party shall:

- Not allow the manufacture, import or export of mercury-added products listed in Part I of Annex A after the phase-out date, which is 2020 for the products originally listed and 2025 for those newly listed by the amendment of Annex A in 2022.
- Phase down the use of mercury-added products listed in Part II of Annex A
- Prevent the incorporation of mercury-added products into assembled products
- Discourage the manufacture and distribution of new mercury-added products

Secretariat shall:

- Collect and maintain information on mercury-added products and make it publicly available

The COP:

- Reviewed Annex A and amended at COP4 in 2022



Article 5 Manufacturing Processes

Necessary Actions

Each Party shall:

- Not allow the use of mercury or mercury compounds in the manufacturing processes listed in Part I of Annex B.
- Take measures to restrict the use of mercury etc. in the manufacturing processes listed in Part II of Annex B.
- Take measures to address emissions and releases of mercury etc. from the facilities employing processes listed in Annex B.
- Not allow the use of mercury etc. in new facilities.
- Discourage their use of mercury etc. in new processes.

The Secretariat shall:

- Collect and maintain information on processes using mercury or mercury compounds and make it publicly available.

The COP shall:

- Review Annex B and may consider amendments.



Article 6 Exemptions

Necessary Actions

Any Party may:

- Register, on becoming a Party, exemptions from the phase-out date listed in Annex A and B.
- Withdraw an exemption.

The Secretariat shall:

- Establish and maintain the register and make it publicly available.

The COP may:

- Decide to extend an exemption for 5 years.



Article 7 ASGM

Necessary Actions

Each Party with ASGM in its territory shall:

- Take steps to reduce, and where feasible eliminate, the use, emissions and releases of mercury and its compounds.

Each Party with more than insignificant ASGM in its territory shall:

- Notify the Secretariat.
- Develop and implement a national action plan (NAP).
- Submit its NAP to the Secretariat within 3 years after the development of the plan.
- Provide a review every 3 years of the progress made in meeting its obligations.

Parties may:

- cooperate with each other, with international organizations and other entities.

ENVIRONMENTALLY SOUND MANAGEMENT OF MERCURY

Article 8 Emissions

Necessary Actions

A Party with relevant sources shall:

- Take measures to control emissions from sources listed in Annex D.

Each Party shall:

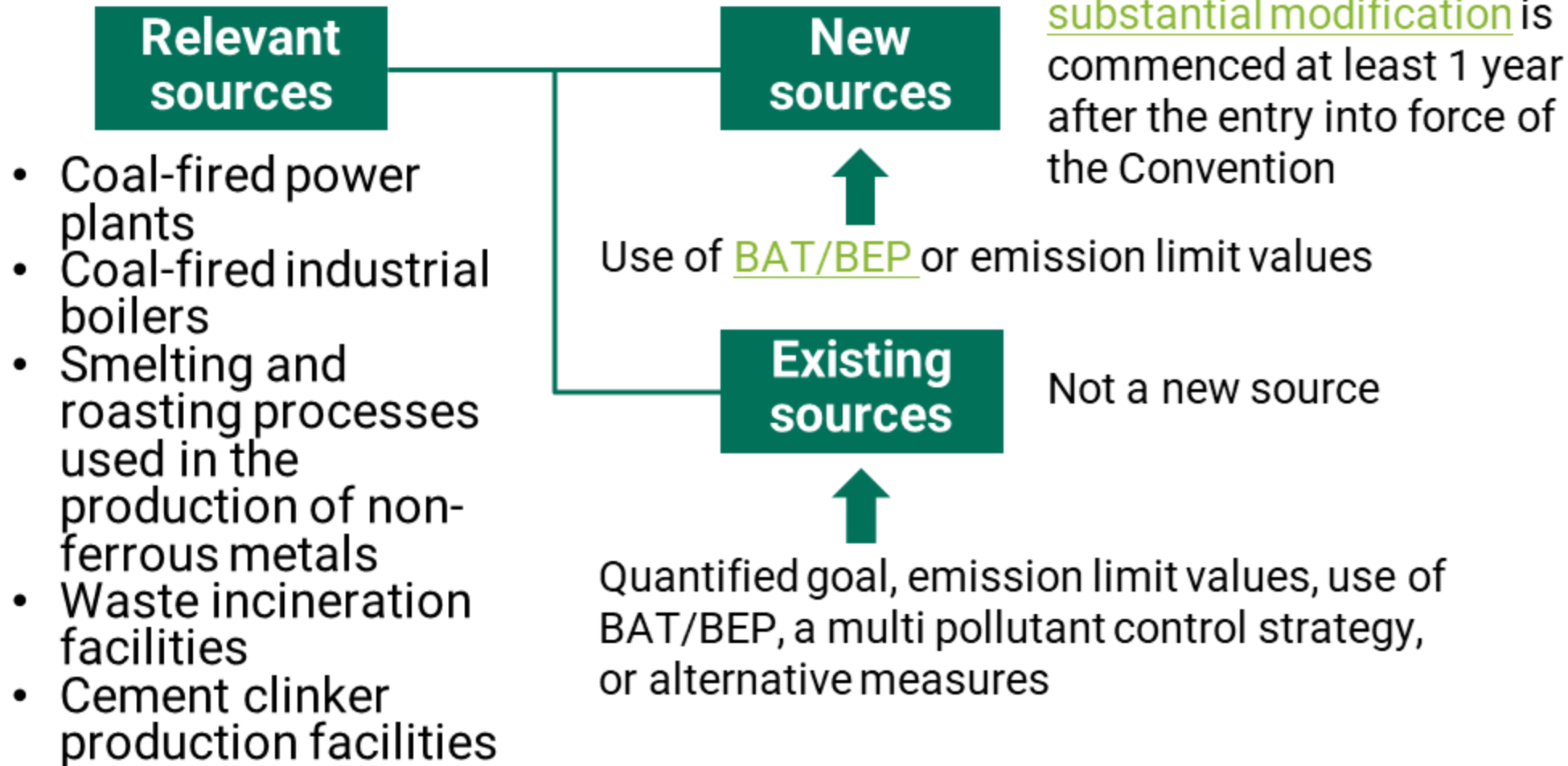
- Require the use of BAT/BEP for new sources within 5 years after becoming a Party.
- Implement measures for existing sources within 10 years after becoming a Party.
- Establish and maintain an inventory of emissions.
- Include information on its implementation of this Article in its reports. submitted pursuant to Article 21.

The COP:

- Adopted guidance on: BAT/BEP, measures for existing sources in particular in determining goals and in setting emission limit values, criteria for source categories, methodology for preparing inventories of emissions.
- Shall keep under review and update as appropriate the guidance.



Target Facilities: Emissions



Article 9 Releases

Necessary Actions

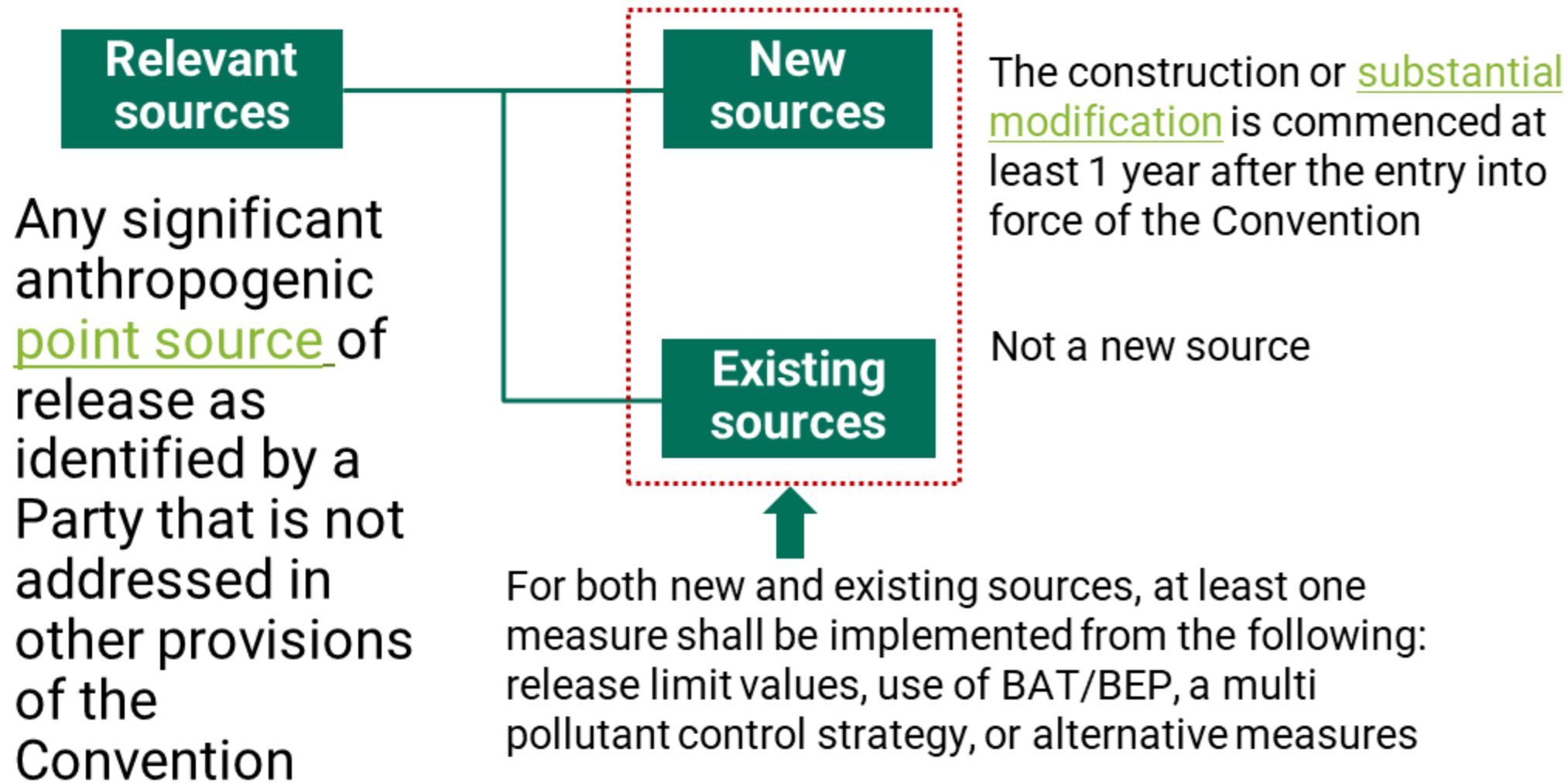
Each Party shall:

- Identify the relevant point source categories no later than three years and on a regular basis thereafter.
- Take measures to control releases.
- Establish and maintain an inventory of releases.
- Include information on its implementation of this Article in its reports submitted pursuant to Article 21.

The COP shall:

- Adopt guidance on: BAT/BEP, methodology for preparing inventories of releases

Target Facilities: Releases



Article 10 Interim Storage

Necessary Actions

Each Party shall:

- Take measures to ensure that the interim storage of mercury and mercury compounds intended for a use allowed under the Convention is undertaken in an environmentally sound manner.

The COP:

- Adopted guidelines on the environmentally sound interim storage of mercury and mercury compounds at its second meeting in 2018.

The COP may:

- Adopt requirements for interim storage in an additional annex.

Article 11 Mercury Wastes

Necessary Actions

Each Party shall:

- Manage in an environmentally sound manner.
- Only recovery, recycling, reclamation or direct re-use for a use allowed to a Party under this Convention or for environmentally sound disposal.
- Not transport across international boundaries except for the purpose of environmentally sound disposal and with the Basel Convention.

The COP shall:

- Define relevant thresholds for mercury wastes.
- Adopt requirements on the environmentally sound management of mercury wastes.



Article 12 Contaminated Sites

Necessary Actions

Each Party shall:

- Endeavour to develop appropriate strategies for identifying and assessing sites contaminated by mercury or mercury compounds.

- Actions to reduce the risks shall be performed in an environmentally sound manner
- An assessment of the risks to human health and the environment from the mercury or mercury compounds

The COP:

- Adopted guidance on managing contaminated sites in its third meeting in 2019.





PROVISIONS FACILITATING THE IMPLEMENTATION OF MEASURES

Article 13 Financial Resources, Mechanism

Necessary Actions

Each Party shall:

- Undertakes to provide resources for national activities.

Resources include:

- Domestic funding through relevant policies, development strategies and national budgets
- Bilateral and multilateral funding
- Private sector involvement

The COP shall:

- Provide guidance on an indicative list of categories activities that could receive support from GEF.
- Decide on the hosting institution for SIP and provide guidance to it.
- Review the level of funding, the guidance and effectiveness, and their ability to address the changing needs of developing country Parties and Parties with economies in transition.

The GEF and The SIP

The Mechanism to support

- Developing country Parties
- Parties with economies in transition

The Global Environment Facility Trust Fund (GEF)

- Provide new, predictable, adequate and timely financial resources
- Provide resources to meet the agreed incremental costs of global environmental benefits and the agreed full costs of some enabling activities
- The GEF shall be operated under the guidance of and be accountable to the COP

The Specific International Programme (SIP)

- Support capacity-building and technical assistance
- Hosting institution to be provided by UNEP (MC-1/6)
- All parties and other relevant stakeholders are invited to provide financial resources on a voluntary basis.

Article 14 Capacity-building

Necessary Actions

Each Party shall:

- Cooperate to provide capacity-building and technical assistance to developing country Parties and Parties with economies in transition.

Developed country Parties and other Parties shall:

- Within their capability, promote and facilitate development, transfer and diffusion of, and access to, up-to-date environmentally sound alternative technologies.

The COP shall:

- Consider information on existing initiatives and progress made, and the needs of Parties in relation to alternative technologies, and identify challenges experienced by Parties in technology transfer.
- Make recommendations on how capacity-building, technical assistance and technology transfer could be further enhanced.



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Provisions
Facilitating the
Implementation
of Measures

Article 15 Implementation and Compliance

Necessary Actions

The Committee shall:

- Promote implementation of, and review compliance with, all provisions of the Convention.
- Examine both individual and systemic issues of implementation and compliance and make recommendations to the COP.
- Elaborate its rules of procedures.

- **Facilitative in nature** and pay particular attention to the respective national capabilities and circumstances of Parties.
- **Examine both individual and systemic issues** of implementation and compliance.
- Consist of **15 members** with due consideration of equitable geographical representation.

Article 16 Health Aspects

Necessary Actions

Parties are encouraged to:

- Promote the development and implementation of strategies and programmes to identify and protect populations at risk
- Promote the development and implementation of science-based educational and preventive programmes on occupational exposure to mercury and mercury compounds
- Promote appropriate health-care services for prevention, treatment and care for populations affected by the exposure to mercury or mercury compounds
- Establish and strengthen the institutional and health professional capacities for the prevention, diagnosis, treatment and monitoring of health risks related to the exposure to mercury and mercury compounds



Article 17 Information Exchange

Necessary Actions

Each Party shall:

- Facilitate the exchange of:
 - Scientific, technical, economic and legal information.
 - Information on the reduction or elimination of the production, use, trade, emissions and releases of mercury.
 - Information on technically and economically viable alternatives to products, processes, and activities.
 - Epidemiological information.

The Secretariat shall:

- Facilitate cooperation in the exchange of information.



Article 18 Public Information, Awareness

Necessary Actions

Each Party shall:

- Promote and facilitate:
 - Provision to the public of available information.
 - Education, training and public awareness related to the effects of exposure to mercury and mercury compounds.
- Use existing (or new) mechanisms such as pollutant release and transfer registers (PRTR) for the collection and dissemination of information on estimate of annual quantities emitted, released or disposed of through human activities.



The Minamata
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Provisions
Facilitating the
Implementation
of Measures

Article 19 Research, development, monitoring

Necessary Actions

Parties shall:

- Endeavor to cooperate to develop and improve:
 - Inventories of use, consumption, emissions and releases.
 - Modelling and monitoring in vulnerable populations, environmental media.
 - Assessments of the impact on human health and the environment, in addition to social, economic, and cultural impacts.
 - Information on the environmental cycle, transport, transformation, fate
 - Information on commerce, trade in mercury, mercury-added products.
 - Information and research on availability of mercury-free products, processes, BAT/BEP, monitor emissions and releases.

Parties should:

- Build on existing monitoring networks and research programmes.



Article 20 Implementation Plans

Necessary Actions

Each Party may:

- Following an initial assessment, develop and execute an implementation plan.
- Review and update its implementation plan, referring to guidance from the COP and other relevant guidance.

Parties should:

- Consult national stakeholders to facilitate the development, implementation, review and updating of their implementation plans.



Article 21 Reporting

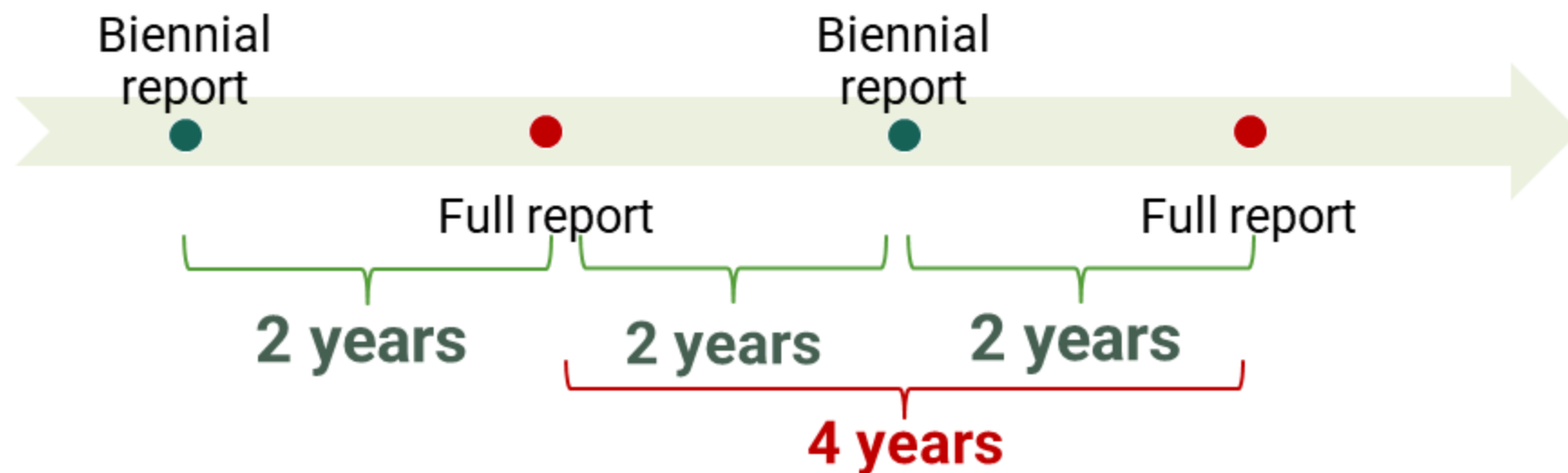
Necessary Actions

Each Party shall:

- Report to the COP on the measures to implement the Convention and on the effectiveness of such measures.
- Include the information as called for in Article 3, 5, 7, 8, and 9.

The COP shall:

- Decide upon the timing and format of the reporting.





OVERALL MANAGEMENT OF THE CONVENTION

Article 22 Effectiveness Evaluation (1/2)

Necessary Actions

The COP shall:

- Evaluate the effectiveness of the Convention, beginning no later than six years after entry into force and periodically thereafter.
- Initiate the establishment of arrangements for providing itself with comparable monitoring data:
 - Presence and movement of mercury in the environment
 - Trends in levels of mercury observed in biotic media and vulnerable populations

Article 22 Effectiveness Evaluation (2/2)

Necessary Actions

The evaluation shall be conducted on the basis of available scientific, environmental, technical, financial and economic information:

- Reports and other monitoring information (Article 22)
- National reports submitted (Article 21)
- Information and recommendations on compliance provided (Article 15)
- Reports and other relevant information on the operation of the financial assistance, technology transfer and capacity-building arrangement



Articles 23 - 35

Articles 23 - 28:

- Conference of the Parties, secretariat, settlement of disputes, amendments, right to vote.

Articles 29 - 35:

- Signature, ratification, acceptance, approval or accession, entry into force, reservation, withdrawal, depository, authentic texts.