



No. 56101/ 569

The Permanent Mission of the Kingdom of Thailand to the United Nations presents its compliments to the Treaty Section of the Office of Legal Affairs of the United Nations and, has the honour to enclose herewith the Instrument of Accession of the Kingdom of Thailand to the Minamata Convention on Mercury dated 20 June 2017.

The Permanent Mission of the Kingdom of Thailand to the United Nations avails itself of this opportunity to renew to the Treaty Section of the Office of Legal Affairs of the United Nations the assurances of its highest consideration.

Permanent Mission of the Kingdom of Thailand  
to the United Nations, New York

22 June B.E. 2560 (2017)



The Treaty Section,  
Office of Legal Affairs of the United Nations,  
NEW YORK.

## INSTRUMENT OF ACCESSION

**WHEREAS** Article 30 paragraph 1 of the Minamata Convention on Mercury provides that the Convention shall be open for accession by States and by regional economic integration organizations from the day after the date on which the Convention is closed for signature and that the instruments of ratification, acceptance, approval or accession shall be deposited with the Depositary;

**WHEREAS** Article 34 of the Convention provides that the Secretary-General of the United Nations shall be the Depositary of this Convention;

**WHEREAS** Article 30 paragraph 5 of the Convention provides that in its instrument of ratification, acceptance, approval or accession, any Party may declare that, with regard to it, any amendment to an annex shall enter into force only upon the deposit of its instrument of ratification, acceptance, approval or accession with respect thereto;

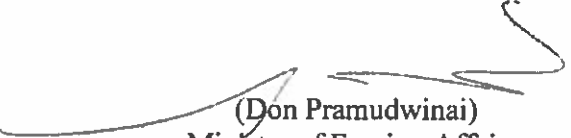
**WHEREAS** Article 31 paragraph 2 of the Convention provides that for each State or regional economic integration organization that ratifies, accepts or approves this Convention or accedes thereto after the deposit of the fiftieth instrument of ratification, acceptance, approval or accession, the Convention shall enter into force on the ninetieth day after the date of deposit by such State or regional economic integration organization of its instrument of ratification, acceptance, approval or accession; and

**WHEREAS** the Convention will enter into force on 16 August 2017;

**THE GOVERNMENT OF THE KINGDOM OF THAILAND**, having considered the aforesaid Convention, hereby accedes to the same and undertakes to faithfully perform and carry out all the stipulations contained therein, and hereby declares that any amendment to an annex of the Convention shall enter into force only upon the deposit of its instrument of ratification, acceptance, approval or accession in accordance with Article 30 paragraph 5.

**IN WITNESS WHEREOF**, this Instrument of Accession is signed and sealed by the Minister of Foreign Affairs of the Kingdom of Thailand.

**DONE** at the Ministry of Foreign Affairs, Bangkok, this 20<sup>th</sup> day of June in the Year Two thousand Five hundred and Sixty of the Buddhist Era, corresponding to the Year Two thousand and Seventeen of the Christian Era.

  
(Don Pramudwinai)  
Minister of Foreign Affairs  
of the Kingdom of Thailand

## Measures to implement the Minamata Convention on Mercury

According to the provisions of the Article 30, Paragraph 4 of the Minamata Convention on Mercury, Thailand, in this respect, is requested to submit the measures for the fulfillment of obligations under the Minamata Convention on Mercury which are only the main control measures of the Convention in Article 3, Mercury Supply Sources and Trade to Article 12, Contaminated Sites as follows:

- **Article 3 Mercury Supply Sources and Trade**

Thailand has no mercury mining and no potential sources of mercury in terms of economic worthiness. Mercury and mercury compounds used in the country are imported from abroad.

Imports and exports of mercury and certain mercury compounds are controlled by the Notification of the Ministry of Industry, B.E. 2556 (2013) on List of Hazardous Substances, B.E. 2556 (2013) issued pursuant to the Hazardous Substances Act, B.E. 2535 (1992) defining Mercury (Quick Silver; Hydrargyrum), Mercuric Chloride, Mercuric Oxide, Mercuric Sulfide (Mercuric Sulphide), Mercurous Chromate (Mercury Chromate), Mercury (II) Thiocyanate are the 3<sup>rd</sup> Category of Hazardous Substances which their production, import, export or possession shall be licensed from the Department of Industrial Works, Ministry of Industry. In addition, the 14-1<sup>th</sup>/ B.E. 2559 (2016) Meeting of the Subcommittee on the Data Consideration and Screening of Hazardous Substances has approved to control 1) Mercury (I) chloride, (2) Mercury (II) Sulfate and (3) Mercury (II) nitrate as the 3<sup>rd</sup> Category of Hazardous Substances.

In addition, mercury compounds are defined as the 4<sup>th</sup> Category of hazardous substances which their production, import or export or possession is unconditionally prohibited. The responsible agency is the Department of Agriculture. However, the 14-1<sup>th</sup>/ B.E. 2559 (2016) Meeting of the Subcommittee on the Data Consideration and Screening of Hazardous Substances has agreed to set the conditions for controlling the mercury compounds under the responsibility of the Department of Agriculture except the compounds used in the laboratory and the compounds under the responsibility of the Department of Industrial Works.

The definition of mercury compounds under the responsibility of the Food and Drug Administration, Ministry of Public Health as the 4<sup>th</sup> Category of hazardous substances with the conditions of the products used in household or public health for the insects and other animals suspension, prevent, control and removal. If anyone violates, is considered guilty.

For the Import and export of mercury and mercury compounds, their quantity and the locations of the Hazardous Material Storage Facility have to be informed for monitoring their status.

For the Import of mercury and mercury compounds, location maps of the Hazardous Material Storage Facility including their adjacent areas and maps of indoor buildings used as the Hazardous Material Storage Facility have to be displayed to ensure that the imported mercury and mercury compounds are environmentally friendly stored.

- **Article 4 Mercury-added products**

Thailand has already imposed that certain types of mercury-added products have the mercury content complied with the Convention, Part I of Annex A under the Industrial Products Standards Act, B.E. 2511 (1968), the Hazardous Substances Act, B.E. 2535 (1992) and the Cosmetics Act B.E. 2558 (2015) as follows

Mercury-Added Products	Rules and Regulations
1. Batteries	Dry cell batteries containing mercury components are defined as the 4 <sup>th</sup> Category of hazardous substances which their production, import or export or possession is prohibited under the Notification of the Ministry of Industry, on List of Hazardous Substances, B.E. 2556 (2013) issued pursuant to the Hazardous Substances Act, B.E. 2535 (1992)
2. Compact fluorescent lamps for general lighting purposes that are $\leq$ 30 watts with mercury content exceeding 5 mg per lamp	Compact Fluorescent lamps are required to contain no more than 5 mg of mercury per lamp under the Notification of Ministry of Industry, No. 3865 (B.E. 2551) (2008) on Industrial Standard on Electrical and Electronic Equipment that may contain Hazardous Substances: Restriction of the Use of Certain Hazardous Substances, TIS 2368-2551 issued pursuant to the Industrial Products Standards Act, B.E. 2511 (1968)
3. Linear Fluorescent Lamp	Tri-band phosphor Linear Fluorescent Lamps are

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(i) Tri-band phosphor < 60 watts with mercury content exceeding 5mg per lamp required to contain no more than 5 mg of mercury per lamp under the Notification of Ministry of Industry, No. 3865 (B.E. 2551) (2008) on Industrial Standard on Electrical and Electronic Equipment that may contain Hazardous Substances: Restriction of the Use of Certain Hazardous Substances, TIS 2368-2551 issued pursuant to the Industrial Products Standards Act, B.E. 2511 (1968)

(ii) Halophosphate phosphor  $\leq$  40 watts with mercury content exceeding 10 mg per lamp Halophosphate phosphor Linear Fluorescent Lamps are required to contain no more than 10 mg of mercury per lamp under the Notification of Ministry of Industry, No. 3865 (B.E. 2551) (2008) on Industrial Standard on Electrical and Electronic Equipment that may contain Hazardous Substances: Restriction of the Use of Certain Hazardous Substances, TIS 2368-2551 issued pursuant to the Industrial Products Standards Act, B.E. 2511 (1968)

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4. Cosmetics

Mercury and its compounds are the prohibited substances in the manufacture of cosmetics, except for the contaminants in finished products, no more than 1 part per million by weight (1 ppm or 1 mg/1kg) under the Notification of Ministry of Public Health on Prohibited Substances Used as Ingredients in Cosmetics B.E. 2559 (2016) ,issued pursuant to the Cosmetics Act, B.E. 2558 (2015)

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5. Pesticide and biocide

Mercury compounds contained in products of household or public health used for suspension, prevention, controlling and removal of insects,

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fungus and other animals are defined as the 4<sup>th</sup> Category of hazardous substances which their production, import or export or possession is prohibited under the Notification of the Ministry of Industry, on List of Hazardous Substances, B.E. 2556 (2013) issued pursuant to the Hazardous Substances Act, B.E. 2535 (1992).

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For the mercury-added products in Part 2 of Annex A, the Convention requires at least two measures to reduce the use of amalgams. Thailand has implemented at least two consistent measures: the measures (v) Encouraging representative professional organizations and dental schools to educate and train dental professionals and students on the use of mercury-free dental restoration alternatives; and (ix) Promoting the use of best environmental practices in dental institutes by Mercury Safe Dental Practices and trainings on “mercury-safe dentistry procedure”. It has been conducted to enhance the awareness on the use of mercury amalgam unsafely and to have the same standards of practice as abroad professionals under the policy development program in order to support mercury vapor control measures

- **Article 5 Manufacturing processes in which mercury or mercury compounds are used**

Thailand did not use mercury and mercury compounds in the processes of chlor-alkali and acetaldehyde productions listed in Part 1 of Annex B.

Thailand can classify the factories using mercury as a catalyst to produce (1) vinyl chloride monomer (2) sodium or potassium methylate or ethylate. (3) polyurethane, in order to carry out the measures to reduce the use of mercury and mercury compounds as defined in Part 2 of Annex B since these factories are defined in Factory Type No. 42 (1) Factory dealing with chemicals, chemical substances or hazardous substances and are classified as a Factory Group 3: the factory of the type and size as to be granted a permit prior to the engagement according to the Factory Act, B.E. 2535 (1992).

- **Article 7 Artisanal and small-scale gold mining**

At present, Thailand does not have Artisanal and small-scale gold mining at the level above the insignificant level.

- **Article 8 Emissions**

Thailand has set the standards for mercury emissions from various sources under the Factory Act, B.E. 2535 (1992) and the Enhancement and Conservation of the National Environmental Quality Act B.E. 2535 (1992) as follows:

- (i) The incinerations of wastes or unused hazardous materials from industries, the value of the emitted mercury is not exceeding  $0.1 \text{ mg/m}^3$ .
- (ii) The incinerations of infectious waste, the value of the emitted mercury is not exceeding  $0.05 \text{ mg/m}^3$ .
- (iii) The waste incinerations with burning capacity of 1 ton but not exceeding 50 tons per day and more than 50 tons per day, the value of the emitted mercury is not exceeding  $0.05 \text{ mg/m}^3$ .
- (iv) The cement production facilities that use waste as fuel or as raw materials for production, the value of the emitted mercury is not exceeding  $0.1 \text{ mg/m}^3$ .
- (v) The general production plants with the fuel burning, the value of the emitted mercury is not exceeding  $2.4 \text{ mg/m}^3$ .
- (vi) The general production plants without the fuel burning, the value of the emitted mercury is not exceeding  $3.0 \text{ mg/m}^3$ .
- (vii) The plants that use the used fuel undergone synthetic fuel quality improvement processes in the industrial furnaces, the value of the emitted mercury is not exceeding  $0.15 \text{ mg/m}^3$ .
- (viii) The Gas Separation Plant, the value of the emitted mercury is not exceeding  $0.8 \text{ mg/m}^3$ .
- (ix) The furnace and/or boiler and/or cracking unit without the use of the unrestored catalyst or the catalyst in the cracking unit and the cracking unit with Coke combustion in the petroleum refinery, the value of the emitted mercury is not exceeding  $2.4 \text{ mg/m}^3$ .

Thailand has developed a fundamental mercury emission directory. The directory is undergoing to be updated for precise and up-to-date information of potential sources of emitted mercury to define control measures in reduction of mercury emission in addition to emitted mercury sources mentioned in the Annex D.

- **Article 9 Releases**

Thailand has set the standards for mercury releases from various sources under the Factory Act, B.E. 2535 (1992) and the Enhancement and Conservation of the National Environmental Quality Act B.E. 2535

(1992). For the sources in the Industrial Factories and Industrial Estates, the value of the released mercury is not exceeding 0.005 mg/m<sup>3</sup>.

Thailand has developed a fundamental mercury releasing directory. The directory is undergoing to be updated for precise and up-to-date information for classification of significant releasing sources to define control measures in reduction of mercury release.

- **Article 10 Environmentally sound interim storage of mercury, other than waste mercury**

Thailand has defined mercury and some mercury compounds as the hazardous substances under the Hazardous Substances Act, B.E. 2535 (1992). Therefore, their storages must be operated accordance with the Manual on the Storages of Chemicals and Hazardous Substances under the Notification of the Department of Industrial Works B.E. 2550 (2007) issued pursuant to the Factory Act, B.E. 2535 (1992) or operated according to the International guidelines approved by the Department of Industrial Works for safety in storing of chemicals and hazardous substances of factory entrepreneurs and hazardous substance and environment entrepreneurs.

- **Article 11 Mercury Wastes**

Thailand has defined the mercury-contaminated sewage or unused material as hazardous waste if the total concentration of the mercury or mercury compounds in the hazardous inorganic substances and organic substances are equal to or greater than 20 mg / kg. In cases of waste which is extracted by the Waste Extraction Test (WET) and the Analytical Method of Extracted Water having mercury or mercury compound is equal to or greater than 0.2 mg/ l, according to the Notification of the Ministry of Industry, B.E. 2548 (2005) on Disposal of Waste or Non-usable Materials issued pursuant to the Factory Act B.E. 2535 (1992). For this hazardous waste management, the waste must be collected, transported, treated and disposed by the persons authorized from the Department of Industrial Works. Also the management must comply with the rules and procedures prescribed by the Department of Industrial Works (DIW). In addition, there must have movement document (Manifest System) when hazardous waste is moved from the factories or brought into other factories. The Department of Industrial Works (DIW) must be usually keeping inform on the relevant information on the industrial waste management.

Thailand as a party to the Basel Convention on the Control of Transboundary Movements of Hazardous Wastes and Their Disposal has operated to control import and export of mercury wastes under this Convention by defining (i) Metal wastes and waste consisting of alloys such as mercury (ii) Waste consisting of mercury and mercury compounds and (iii) Electrical and electronic assemblies or scraps (exclude the debris from the electric power generation ) containing the mercury compositions such as capacitors and other batteries,



mercury-switches, glass scraps from cathode-ray and other activated glasses as the 3<sup>rd</sup> Category of hazardous substances which their production, import, export or possession shall be licensed from the Department of Industrial Works (DIW), according to the Notification of the Ministry of Industry B.E. 2556 (2013) on List of Hazardous Substances B.E. 2556 (2013) issued pursuant to the Factory Act B.E. 2535 (1992) as well as the written prior informed consult must be notified by the DIW as the competent authority of Thailand to the Basel Convention.

- **Article12 Contaminated Sites**

Thailand has developed 'Guidelines for the Management of Contaminated Areas from Hazardous Substances. B.E. 2553 (2010)' to be the guideline for management of chemical contamination in environments caused by operations or chemical storages of the factories, agricultural areas, waste landfill sites, illegal chemical waste disposal, chemical accidents for the assessment and management of the mercury contaminated areas.

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