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**Intergovernmental negotiating committee
to prepare a global legally binding instrument
on mercury
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Item 3 (b) of the provisional agenda*

Work to prepare for the entry into force of the Minamata Convention on Mercury and for the first meeting of the Conference of the Parties: matters required by the Convention to be decided upon by the Conference of the Parties at its first meeting

Factors which may be considered in the identification of stocks of mercury or mercury compounds

Note by the secretariat

1. Article 3 of the Minamata Convention on Mercury provides that each party shall 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. In addition, article 3 requires the Conference of the Parties to provide further guidance in regard to that issue at its first meeting.

2. In reviewing the factors which may be considered in the identification of stocks of mercury or mercury compounds, the experience gained in the context of other conventions has been taken into account.

3. The Stockholm Convention on Persistent Organic Pollutants has developed guidance on the identification of polychlorinated biphenyls (PCBs) and equipment containing PCBs,[1] guidance for the inventory of polybrominated diphenyl ethers[2] and guidance for the inventory of perfluorooctane sulfonic acid and related chemicals[3] listed under the Convention. The guidance documents include specific references to identified existing stockpiles and articles containing those chemicals.

4. The Montreal Protocol on Substances that Deplete the Ozone Layer requires reporting from parties on listed substances and has developed guidance on the reporting obligations under the Protocol.[4]

* UNEP(DTIE)/Hg/INC.6/1.

[1] Available at www.chem.unep.ch/pops/pdf/PCBident/pcbid1.pdf.

[2] Available at http://chm.pops.int/Implementation/NIPs/Guidance/GuidancefortheinventoryofPBDEs/tabid/3171/Default.aspx.

[3] Available at http://chm.pops.int/Implementation/NIPs/Guidance/GuidancefortheinventoryofPFOS/tabid/3169/Default.aspx.

[4] Available at http://ozone.unep.org/Data_Reporting/Data_Reporting_Tools/data-reporting-handbook.e.pdf.

5. In the identification of stocks of mercury and mercury compounds, there are two main areas of work to be undertaken. The first relates to the identification of individual levels of stocks within the territory of the party, while the second relates to the identification of the sources of mercury supply-generating stocks exceeding 10 metric tons per year. Information on factors that may be considered in the identification of stocks of mercury and mercury compounds is set out in the annex to the present note.

6. In its resolution on arrangements in the interim period (UNEP(DTIE)/Hg/CONF/4, annex I), the Conference of Plenipotentiaries on the Minimata Convention on Mercury requested the intergovernmental negotiating committee to develop, and adopt on a provisional basis pending decision by the Conference of the Parties at its first meeting, guidance on the identification of stocks of mercury and mercury compounds.

7. The Committee may wish to consider the factors listed in the annex and determine whether they should form the basis for the development of guidance for consideration by the Committee at its seventh session.

Annex

Factors which may be considered in the identification of stocks of mercury or mercury compounds

A number of countries may have stocks of mercury currently existing within their territory. National stocks of mercury or mercury compounds may also accumulate when sources of mercury exceed mercury use. Possible sources include the following:

(a) Primary mining;

(b) Decommissioning of industrial facilities that have previously used mercury;

(c) Collection of by-product mercury (from non-ferrous metal mining or processing);

(d) Recycling or reclamation of mercury from mercury-containing waste;

(e) Import of mercury.

The demand for mercury includes the use of mercury in mercury-added products, the use of mercury in processes which use mercury and the use of mercury in artisanal and small-scale gold mining. The quantities of mercury required for those uses vary, depending on the extent of manufacturing activities, the types of process in which mercury is used and the extent of mercury use in mining activities.

Mercury stocks may be maintained by companies involved in mercury trade, waste management companies or government agencies.

The following questions may assist in identifying whether the country has a positive or negative net balance of mercury and may identify sources of mercury supply that generate more than 10 metric tons per year.

Supply

1. Is primary mining occurring within the territory?

2. Is mercury imported into the territory? If so, what quantity is imported annually?

3. Are there sites where mercury is stored prior to use within the territory?

4. Are recycling or recovery activities undertaken within the territory which may produce mercury? If so, what quantity of mercury is produced by those activities?

5. Is there any proposed decommissioning of chlor-alkali plants or other facilities with manufacturing processes in which mercury or mercury compounds are used?

6. Are there facilities that may result in the production of by-product mercury within the territory? If so, what quantity of mercury is generated by those facilities?

Demand

7. Are there facilities manufacturing mercury-added products within the territory? If so, what quantity of mercury is used annually at such sites?

8. Are there facilities where manufacturing processes using mercury are carried out within the territory? If so, what quantity of mercury is used annually at such sites?

9. Is mercury used in artisanal and small-scale gold mining within the territory? What is the estimated annual use of mercury?