Note from the Secretariat

The Conference of the Parties, at its third meeting in Decision MC-3/13 on Guidance for the completion of the National Reporting Format recognised the need for complete and consistent national reporting, and requested the Secretariat to prepare draft guidance for the full national reporting format to clarify the information being sought.

This draft guidance for completing the national reporting format has been prepared by the Secretariat in response to that request.

The Conference of the Parties in its decision requested the Secretariat to seek comments from Parties and other stakeholders on the draft guidance, and to take into account the comments to provide a revised draft of the guidance as appropriate. Kindly use the accompanying comment template, and send comments on this draft (first version, 19 May 2021) to MEA-MinamataSecretariat@un.org by 28 June 2021.

The Conference of the Parties in its decision encouraged Parties to use the draft guidance on a provisional basis to assist with preparing the full national reports due by 31 December 2021. The Conference also requested the Secretariat to submit the draft guidance for consideration and possible adoption by the Conference of the Parties at its fourth meeting.

Draft Guidance for Completing the National Reporting Format for the Minamata Convention on Mercury

I: Article 21 Reporting obligations under the Minamata Convention

The Minamata Convention in its Article 21 on Reporting sets out that each Party shall report to the Conference of the Parties, through the Secretariat, on the measures it has taken to implement the provisions of the Convention, and on the effectiveness of such measures and the possible challenges in meeting the objectives of the Convention.

At its first meeting, the Conference of the Parties in Decision MC-1/8 on Timing and format of reporting by Parties adopted a format for reporting as set out in the annex of that decision – Reporting on measures to be taken to implement the provisions of the Convention, the effectiveness of such measures and the challenges encountered. The Conference further decided that each Party shall report every four years using the full format, and every two years with respect to the questions in the format marked by an asterisk.

The Conference also decided that each Party shall submit the first short reports (that is, the responses to questions in the format marked by an asterisk) by 31 December 2019, for consideration by the Conference of the Parties at its subsequent meeting.

It therefore follows that for the first short reports the reporting period covers 16 August 2017 (the date of entry into force of the Convention) until 31 December 2019, and for the first full reports the reporting period covers 16 August 2017 until 31 December 2021. The cycle will then be repeated with the subsequent short reports covering 1 January 2022 to 31 December 2023, and the subsequent full reports covering 1 January 2022 to 31 December 2025, and so on.

The Conference of the Parties draws on the reports in its reviews and evaluations of the implementation of the Convention pursuant to paragraph 5 of Article 23, and in its evaluation of the effectiveness of the Convention pursuant to paragraph 3(b) of Article 22. Further, the Implementation and Compliance Committee may consider issues pursuant to paragraph 4(b) of Article 15 on the basis of the reports. The Committee is tasked by paragraph 2 of Article 15 to examine both individual and systemic issues of implementation and compliance and make recommendations, as appropriate, to the Conference of the Parties.
It is important that the information that is reported by the Party is officially endorsed and submitted formally. In this regard, the National Focal Point of each Party plays an important role in the process of reporting. The National Focal Point is designated by each Party according to paragraph 4 of Article 17 on Information Exchange. The Party’s report is to be submitted by or through the designated National Focal Point. All information on the National Focal Points designated by Parties to the Minamata Convention is available on the Convention website, including information to complete the formalities of such a designation.

Parties are encouraged to use the Secretariat’s online electronic reporting system to submit their reports. The National Focal Points of Parties are provided password-secured access to this platform. Parties are able to access the platform and submit their reports in any of the six official languages of the United Nations. While all Parties are encouraged to use the online electronic reporting system, in cases where this may not be possible a Party may submit its report through an electronic paper version. Kindly contact the Secretariat for more detailed information on submitting reports through the online electronic reporting system and/or by electronic paper version at MEA-MinamataSecretariat@un.org.

The reports submitted by Parties for the respective reporting periods will be checked by the Secretariat for completeness and thereafter made available on the Convention website.

II: Overview of the draft Guidance for Completing the National Reporting Format

The purpose of the draft guidance is to clarify the information being sought in the national reporting format, and in this way to assist Parties in their obligation to report on the measures taken to implement the provisions of the Convention.

The draft guidance follows the structure of the reporting format as adopted by the Conference of the Parties at its first meeting. The reporting format consists of the following five sections:

- Part A: General Information on the Party for which the report is being submitted.
- Part B: Information on measures taken by the reporting Party to implement the relevant provisions and on the effectiveness of such measures in meeting the objectives of the Convention.
- Part C: Opportunity to comment on possible challenges in meeting the objectives of the Convention.
- Part D: Opportunity to comment on the reporting format and possible improvements.
- Part E: Opportunity to provide additional comments on each of the articles in free text if the Party chooses to do so.

It is to be clear that this draft guidance is not to be a manual to implement the articles and obligations of the Convention to which the questions refer, but it is to be guidance to Parties to collect and collate the necessary information to fill in Parts A to E.

In particular, the draft guidance seeks to provide greater clarity on the information sought in the forty-three questions under Part B that relate to the measures taken by the reporting Party to implement the relevant provisions of the Convention and on the effectiveness of such measures in meeting the objectives of the Convention. The questions related to the following Articles of the Convention:

- 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 7 (Artisanal and small-scale gold mining),
- Article 8 (Emissions),
- Article 9 (Releases),
- Article 10 (Environmentally sound interim storage of mercury, other than waste mercury),
- Article 11 (Mercury wastes),

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1 The online electronic reporting system piloted for the first reports that were due by 31 December 2019, has been further developed by the Secretariat into a fully-fledged reporting system that will be active from mid-2021 for the full reports due by 31 December 2021. Part A.1 information is pre-filled for all Parties, and where Parties submitted short reports for 31 December 2019, such information will be available too to be updated and added onto for the upcoming reporting deadline.

2 While all Parties are strongly encouraged to use the fully-fledged reporting system, the Secretariat has prepared the short and the full reporting format as electronic paper version for cases where it may not be possible for a Party to report online. This electronic paper version may also be useful to Parties in the preparation stage of collecting and collating information, to enter thereafter using the online tool.
The draft guidance is set out Part-by-Part, and for Part B it is structured question-by-question. Following each question, are notes to provide background and/or clarification, and thereafter a suggested approach for responding to the question. Therefore, each sub-section in the draft guidance for Part B follows the same structure, namely:

- The question as adopted in the reporting format,
- notes that provides background or clarification, followed by
- a suggested approach to responding to the question.

For the short reports that comprise the questions marked by an asterisk in the format, in addition to Part A, Part C, Part D and Part E; Parties are to fill in the following questions in Part B for the two reporting years of the reporting period:

- Question 3.1(c),
- Question 3.3(a),
- Question 3.5, and
- Question 11.2.

For the full reports, in addition to Part A, Part C, Part D and Part E, Parties are to respond to all forty-three questions in Part B for the four reporting years of the reporting period.

To be noted is that many of the forty-three questions in Part B are multi-tiered to best capture pertinent details. Parties are to respond on their measures as per the “yes” and “no” answer boxes, or in some instances, in additional answer boxes such as “other” or “don’t know”. For questions where further details (or details in addition to the answer boxes) are requested, Parties are requested to fill in the details in the comment boxes as narrated text, or upload as attachments, or add by providing links to specific other documents or specific information sources. To facilitate information clarity, if detail that is to be reported by a Party is part of larger documents, studies or reports that the Party holds, it is for the Party to extract the exact required information for reporting purposes and submit that information, rather than submit the whole document, study or report.

The Secretariat draws Parties’ attention to items noted in the instructions for Part B in the adopted reporting format:

- Mandatory information forms the core of the adopted reporting format.
- A limited number of questions are indicated as supplemental, and while responses to these can be provided voluntarily at the Party’s discretion. Parties are strongly encouraged to complete these questions too as they contain relevant information on the measures taken by the reporting Party to implement the relevant provisions of the Convention and on the effectiveness of such measures in meeting the objectives of the Convention.
- Descriptions of the effectiveness of the implementing measures should be provided based on a Party’s particular situation and capabilities but should nonetheless be as consistent as possible in the Party’s report.
- The effectiveness of implementing measures that are described by a Party is separate from the evaluation of the effectiveness of the Convention under Article 22.

**NB to complete the national reports:**

- Plan carefully and in good time to acquire the information required for all parts of the reporting format, and particularly for the questions in Part B, as well as the attachments and links that may be needed, to ensure that reports are submitted in full by the deadline.
- When reporting annual data, the year(s) should be specified. Where the reporting period is not 1 January to 31 December, the period reported should be specified.

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3 For ease, the forty-three questions in Part B have been numbered to reference the Articles to which they relate.
When answering open questions, ensure that the responses are succinct while at the same time offering a “meaningful story”.

- Check for consistency between the responses to different questions.
- Note the units in which information on amounts are to be provided, e.g. metric tons

III: Completing the Reporting Format of the Minamata Convention

Reporting on measures to be taken to implement the provisions of the Convention, the effectiveness of such measures and the challenges encountered

Part A: General Information on the Party

Part A captures general information on the Party for which the report is being submitted. It is divided into four parts, where first information on the Party status is set, then the details of the National Focal Point are noted, next, as necessary, the information of an additional contact officer is noted, and lastly, the date the report was submitted is entered. Much of the information in Part A will be pre-filled in the online tool, to be confirmed and/or updated as required by the reporting Party.

<table>
<thead>
<tr>
<th>MINAMATA CONVENTION ON MERCURY</th>
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<tbody>
<tr>
<td>NATIONAL REPORT PURSUANT TO ARTICLE 21</td>
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</table>

1. INFORMATION ON THE PARTY

<table>
<thead>
<tr>
<th>Name of Party</th>
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<tbody>
<tr>
<td>Date on which its instrument of ratification, accession, approval or acceptance was deposited</td>
<td>(day/month/year)</td>
</tr>
<tr>
<td>Date of entry into force of the Convention for the Party</td>
<td>(day/month/year)</td>
</tr>
</tbody>
</table>

NOTES: The date of entry into force of the Convention for a Party that deposited its instrument of ratification, accession, approval or acceptance prior to the date of the deposit of the fiftieth instrument of ratification, accession, approval or acceptance, i.e. 18 May 2017, is the date of entry into force of the Convention, i.e. 16 August 2017.

For a Party that deposited its instrument of ratification, accession, approval or acceptance after 18 May 2017, the date of entry into force of the Convention is 90 days after its instrument of ratification, accession, approval or acceptance was deposited (Article 31).

The date of the deposit of the instrument of ratification, accession, approval or acceptance of the Convention for a Party can be found on the Convention website.
### 2. INFORMATION ON THE NATIONAL FOCAL POINT

<table>
<thead>
<tr>
<th>Full name of the institution</th>
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<tbody>
<tr>
<td>Name and title of contact officer</td>
<td></td>
</tr>
<tr>
<td>Mailing address</td>
<td></td>
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<tr>
<td>Telephone number</td>
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<td>Fax number</td>
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<td>E-mail</td>
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<td>Web page</td>
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</table>

**NOTES:** Article 17, paragraph 4 requires that each Party designates a National Focal Point for the exchange of information under the Convention. The Secretariat maintains the list of all designated National Focal Points online. Parties are requested to check that the information contained on the National Focal Point list is correct, or to alert the Secretariat immediately of any updates. The form to designate a National Focal Point (including a model letter) is available on the Convention website. It is important that the information that is reported by the Party is officially endorsed and submitted formally. In this regard, the National Focal Point plays an important role in the process of reporting. The Party’s report is to be submitted by or through the designated National Focal Point.

### 3. INFORMATION ABOUT THE CONTACT OFFICER SUBMITTING THE REPORTING FORMAT IF DIFFERENT FROM THE ABOVE

<table>
<thead>
<tr>
<th>Full name of the institution</th>
<th></th>
</tr>
</thead>
<tbody>
<tr>
<td>Name and title of contact officer</td>
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<tr>
<td>Mailing address</td>
<td></td>
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<tr>
<td>Telephone number</td>
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<td>Fax number</td>
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<tr>
<td>E-mail</td>
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<tr>
<td>Web page</td>
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</tbody>
</table>

**NOTES:** These fields are optional to fill in. In cases where the Party’s report is submitted through (not by) the designated National Focal Point, the contact officer submitting the information in the reporting format would be identified here. Requests for clarification or follow-up will be referred to both the National Focal Point and this additional contact officer.

### 4. DATE THE REPORT WAS SUBMITTED

(day/month/year)

**NOTES:** In the online electronic reporting system, once the submitting officer has completed and confirmed the submission, the system will assign the date and time of the report submitted automatically in this field.

If a Party submits its report through the electronic paper version, the Secretariat notes the date and time on receipt of the report.

In both cases, a copy of the completed report will be made available to the reporting Party. Thereafter, reports are made available on the Convention website.
**Part B: Information on measures taken by the reporting Party to implement the relevant provisions and on the effectiveness of such measures in meeting the objectives of the Convention**

Part B captures the reporting Party’s responses on measures taken by the Party to implement the relevant provisions and on the effectiveness of such measures in meeting the objectives of the Convention. This part consists of forty-three questions. For the short report only four questions are to be answered, namely those marked by asterisk. For the full reports, all questions are to be answered. The questions are set out per Article and have been numbered to reference the Article to which they relate. To note for Part B is that in various questions, Parties may wish to use the opportunities provided in Part C and Part E to add comments, explanations, clarifications or concerns, or any other information regarded as pertinent to note by the Party for the specific Articles and questions.

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**Article 3: Mercury supply sources and trade**

**Question 3.1:** Does the Party have any primary mercury 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:

a) The anticipated date of closure of the mine(s): *(month, year)* OR
b) The date upon which the mine(s) closed: *(month)* *(year)*

c)*Total amount mined _______ metric tons per year

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**NOTES:** “Mercury” is defined in Article 2(d) as “…elemental mercury (Hg(0), CAS No. 7439-97-6)…”. Article 2 (i) of the Convention defines primary mercury mining as “mining in which the principal material sought is mercury”. Accordingly, this question does not seek information about mines from which mercury is obtained as a by-product or waste (Question 3.3 below addresses mercury from other such sources).

Paragraph 4 of Article 3 allows a Party with primary mining within its territory at the date of entry into force of the Convention for it to continue to allow for those existing mines to operate for up to fifteen years after the Convention enters into force for it. Paragraph 11 of Article 3 requires each Party to include in its reports submitted pursuant to Article 21 information showing that the requirements of this Article have been met.

**SUGGESTED APPROACH FOR RESPONSE:**

- □ If the Party does not have primary mercury mines that were operating at the time of entry into force of the Convention for it, the Party would indicate “no”, and move to the next question.

- □ If the Party does have primary mercury mines that were operating at the time of entry into force of the Convention for it, the Party would indicate “yes”; and indicate, for each mine:
  - The anticipated date of closure for the mine(s) OR the date when the mine(s) closed, and
  - The total amount per year (in metric tons of mercury mined, rather than the total amount of mercury containing ore that was excavated). Data should be provided for each year the mine(s) operated since the date of entry into force for the Party. Data for partial years can be included if data for full years are unavailable. In this case, and for any other information the Party regards pertinent, there is an opportunity to provide an explanation and/or further information in the comment section in *Part C: Comments regarding possible challenges in meeting the objectives of the Convention*.

**Question 3.2:** Does the Party have any primary mercury mines that were now in operation that were not in operation at the time of entry into force of the Convention for the party? (para. 3, para. 11.)

- □ Yes
Question 3.3: 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 3.3 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 stocks and sources.

b) If the party answered No above, please explain.

**NOTES:** For the purposes of Article 3, “mercury” includes mixtures of mercury with other substances, including alloys of mercury, with a mercury concentration of at least 95 per cent by weight. NOTE that for the purposes of Article 3, “mercury compounds” is defined more narrowly than the definition in Article 2(e) and means only mercury (I) chloride (known also as calomel), mercury (II) oxide, mercury (II) sulphate, mercury (II) nitrate, cinnabar and mercury sulphide (see table below).

<table>
<thead>
<tr>
<th>Name</th>
<th>Chemical Formula</th>
<th>Other Names</th>
<th>CAS Number</th>
</tr>
</thead>
<tbody>
<tr>
<td>Mercury (I) chloride</td>
<td>Hg₂Cl₂</td>
<td>mercurous chloride, calomel</td>
<td>10112-91-1</td>
</tr>
<tr>
<td>Mercury (II) oxide</td>
<td>HgO</td>
<td>mercuric oxide or simply mercury oxide</td>
<td>21908-53-2</td>
</tr>
<tr>
<td>Mercury (II) sulphate</td>
<td>HgSO₄</td>
<td>mercury(II) sulfate, mercuric sulfate</td>
<td>7783-35-9</td>
</tr>
<tr>
<td>Mercury (II) nitrate</td>
<td>Hg(NO₃)₂</td>
<td>mercury dinitrate, mercuric nitrate</td>
<td>10045-94-0, 7783-34-8</td>
</tr>
</tbody>
</table>
In responding to this question, the Party’s information may be available from one or more of the following:

- any national reporting arrangement established to provide information on mercury supply and trade;
- any national trade licensing that includes mercury or mercury compounds;
- reporting under regulatory measures such as hazardous substances control, environmental protection, or mining;
- the Party’s implementation plan (if one has been developed pursuant to Article 20); or
- the Party’s Minamata Initial Assessment (if undertaken).
SUGGESTED APPROACH FOR RESPONSE:

☐ If the Party has identified stocks and sources pursuant to paragraph 5(a) of Article 3, the Party would indicate “yes”, and provide information under Question 3.3(a)(i) including:
- the amounts (in metric tons) of mercury or mercury compounds in those stocks or being generated by those sources,
- the date of the most recent assessment,
- whether the result of the assessment is available online and where it can be access, or
- if it is not available online, the Party may wish to attach the result of the assessment.

☐ If the Party has attempted to identify stocks and sources pursuant to paragraph 5(a) of Article 3, but either has been unable to complete the task; or completed the task but the results are not comprehensive or conclusive, the Party would indicate “yes”, and provide an explanation under Question 3.3(a)(i) including:
- the amounts (in metric tons) of mercury or mercury compounds in those stocks or being generated by those sources,
- the date of the most recent assessment,
- whether the result of the assessment is available online and where it can be access, or
- if it is not available online, the Party may wish to attach the result of the assessment.

☐ If the Party has been unable to complete the task:
- the anticipated date for completion of the task; or
- the reasons preventing completion of the task.

☐ If the Party has attempted to identify stocks and sources pursuant to paragraph 5(a) of Article 3 but the results are not comprehensive or conclusive:
- any proposed steps to conclude the task, and the anticipated date for completion of the task; or
- if no further steps are contemplated, the Party may wish to attach the result of the assessment to date.

☐ If the Party has not “…endeavoured to identify…” stocks and sources pursuant to paragraph 5(a) of Article 3, the Party would indicate “no”, and explain the reasons preventing the Party from implementing paragraph 5(a) of Article 3; the proposed actions to meet the obligation; and the anticipated date for completion of the actions.

Question 3.4: Does the Party have excess mercury available from the decommissioning of chlor-alkali facilities? (para. 5(b).)
☐ Yes
☐ No

If yes, please explain the measures taken to ensure that the excess mercury was disposed of in accordance with the guidelines for environmentally sound management referred to in paragraph 3 (a) of article 11 using operations that did not lead to recovery, recycling, reclamation, direct re-use or alternative uses. (para. 5(b), para. 11.)

NOTES: Article 3 paragraph 5(b) requires a Party “…to 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 to in paragraph 3 (a) of article 11 using operations that do not lead to recovery, recycling, reclamation, direct re-use or alternative uses…”.

Accordingly, when a chlor-alkali plant is de-commissioned, the Party may determine that the mercury that becomes available from the decommissioning is “excess” to its requirements. If the Party determines that such mercury is excess, the Party must take measures to ensure that such mercury is disposed of in accordance with paragraph 3 of Article 11, either within the Party’s territory, or by export to another Party for disposal in accordance with paragraph 3 (a) of Article 11.

The guidelines developed under the Basel Convention that are referred to in paragraph 3(a) of Article 11 are available on the Basel Convention website.
**SUGGESTED APPROACH FOR RESPONSE:**

- If the Party does not have chlor-alkali facilities that have been decommissioned, it would indicate “no”, and move to the next question.

- If the Party has chlor-alkali facilities that have been decommissioned, but the Party has not made a determination that the mercury from that decommissioning is excess, it would indicate neither “yes” nor “no”, but would provide an explanation in Part C: Comments regarding possible challenges in meeting the objectives of the Convention.

- If the Party has chlor-alkali facilities that have been decommissioned, and has determined that there is not excess mercury available from that decommissioning, the Party would indicate “no”.

- If the Party has chlor-alkali facilities that have been decommissioned, and has determined that there is excess mercury available from that decommissioning, the Party would indicate “yes”, and provide an explanation of the measures taken pursuant to paragraph 5(b) of Article 3.

**Question 3.5:** 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.

**NOTES:**

This question relates solely to export of mercury which includes mixtures of mercury with other substances, including alloys of mercury, with a mercury concentration of at least 95 per cent by weight. It does not relate to export of mercury compounds, mercury-added products or mercury wastes. If the Party does not export mercury from its territory, it follows that it would have no need to seek consent to export mercury and would move to the next question.

The forms referred to in Question 3.5(a) and (b) are the forms adopted by the Conference of the Parties at its first meeting, and are to be used by Parties and non-Parties for providing consent for trade in mercury under Article 3, namely:

(i) **Form A:** Form for the provision of written consent by a Party to the import of mercury

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

(iii) **Form D:** Form for general notification of consent to import mercury

The list of Parties to the Convention is available on the Convention website, and as are the designated National Focal Points.

Paragraph 6 of Article 3 requires Parties to allow exports only with written consent from the importing Parties or importing non-Parties, and only for allowed purposes. Therefore, if mercury is exported from a Party, the
Party should have received written consent in the way of Form A: Form for the provision of written consent by a Party to the import of mercury, or relied on the general notification under Article 3 paragraph 7, i.e. Form D: Form for general notification of consent to import mercury.

The Conference of the Parties at its first meeting in Decision MC-1/2 on Guidance in relation to mercury supply sources and trade adopted Guidance on completing the forms required under Article 3 in relation to trade in mercury. This guidance included information on the scope of Article 3 – i.e. what is not covered, namely mercury waste (Article 11) and mercury-added products (Article 4), which forms are to be used in which circumstance and what considerations should be taken into account before issuing a consent, the information to be provided in each section, the role of the registers and how to use them, where to obtain the forms, and how to transmit the forms. The guidance makes clear that Parties should consider the obligations under the Convention before giving consent, as once the mercury has entered the territory of a Party, the Party has responsibilities under the Convention. Parties should undertake measures so that any import is only for an allowed use, and is stored in an environmentally sound manner, or disposed of in accordance with Article 11.

The list of Parties that have given general notification of consent to import are held in a public register by the Secretariat as accessible on the Convention website.

SUGGESTED APPROACH FOR RESPONSE:

☐ If the Party has exported mercury to either a Party or a non-Party, or both, and in such a case has 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 to a Party or non-Party in the reporting period, it would indicate “yes, exports to Parties” and/or “yes, exports to non-Parties”, and for each export:
  • If the Party has not previously provided copies of such consent received, it is recommended that it do so at the time of reporting.
  • If the Party cannot provide copies, it is requested to provide information showing that the relevant requirements of paragraph 6 of Article 3 have been met. Unless the export was made to a Party or non-Party under a general notification, the information sought under Question 3.5(a) should be available from Form A: Form for the provision of written consent by a Party to the import of mercury that should have been provided by the importing Party, or Form B: Form for the provision of written consent by a non-party to the import of mercury that should have been provided by the importing non-Party. The information to be provided under Question 3.5(a) should indicate whether the imported mercury was intended for environmentally sound interim storage in accordance with article 10 or whether it was intended for a use allowed to a Party under the convention. If the mercury was intended for interim storage, information on the intended use, if known, should be provided. Relevant information on exports of mercury to a Party’s territory for each of the years since entry into force for that Party should be provided.
  • If the export of mercury was based on a general notification by a Party or non-Party, the Party should indicate for each of the years since entry into force for that Party, the amount exported (in metric tons) and information on relevant terms or conditions information related to the use of the exported mercury. The information on relevant terms or conditions may be found in Section C of Form D: Form for general notification of consent to import mercury that was provided by the Party or non-Party to the Secretariat as its written consent to import mercury.

☐ If the Party has exported mercury to either a Party or a non-Party, or both, and for each case has not received consent, it may wish to provide in Part C: Comments regarding possible challenges in meeting the objectives of the Convention an explanation of why there were such exports, and measures being taken to prevent that situation in future.

☐ If the Party has not exported mercury or mercury compounds from its territory, the Party would indicate “no” and indicate that the reason for not submitting copies of the consent forms is the absence of exports.

Question 3.6: Has the Party allowed the import of mercury from a non-Party?
If yes, 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 8 of article 3 have been met.

Supplemental: Please provide information on the quantities and countries of origin.

The importing Party has relied on paragraph 7 of Article 3.

If yes, or if the Party relied on paragraph 7 of Article 3, did the non-Party provide certification that the mercury is not from sources identified under paragraph 3 or paragraph 5 (b) of article 3? (para. 8.)

☐ Yes
☐ No

The Party has submitted its general notification of consent, applied paragraph 9 of article 3, and provided information on the quantities and countries of origin.

If no, please explain.

NOTES: Paragraph 8 of Article 3 requires that a Party not allow the import of mercury from a non-Party to whom it will provide its written consent unless the non-Party has provided certification that the mercury is not from sources identified as not allowed under paragraph 3 or paragraph 5 (b), i.e. that is not from primary mining or mercury determined by the exporting non-Party to be excess mercury from the decommissioning of chlor-alkali facilities.

The consent forms referred to in Question 3.6 are the forms adopted by the Conference of the Parties at its first meeting and to be used by Parties and non-Parties for providing consent for trade in mercury under Article 3, namely:

(i) **Form A:** Form for the provision of written consent by a Party to the import of mercury

(ii) **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)

(iii) **Form D:** Form for general notification of consent to import mercury

The list of Parties to the Convention is available on the Convention website, and as are the designated National Focal Points. In some cases, non-Parties have also notified the Secretariat of their National Focal Point.

In the case of a Party allowing imports from a non-Party, the Party would have provided its written consent by using **Form A: Form for the provision of written consent by a Party to the import of mercury.** The information that is required to be reported under this question is necessary to confirm that the requirements of paragraph 8 of article 3 have been met, namely that the mercury that has been imported was not from primary mercury mining; or mercury determined by the exporting non-Party to be excess mercury from the decommissioning of chlor-alkali facilities.

The non-Party exporting country should have provided a **Form C: Form for non-Party certification of the source of mercury to be exported to a Party** regardless of whether the importing Party had provided consent through a **Form A: Form for the provision of written consent by a Party to the import of mercury,** or through a general notification.

For a Party that has submitted a general notification, paragraph 9 of Article 3 allows it to waive the restrictions imposed by the Convention on the imports of mercury from a non-Party, provided that it maintains comprehensive restrictions on the export of mercury and has domestic measures in place to ensure that imported
mercury is managed in an environmentally sound manner. The Party is required to provide a notification of such
decision to the Secretariat, including information describing its export restrictions and domestic regulatory
measures, as well as information on the quantities and countries of origin of mercury imported from non-Parties.
This procedure was available until the conclusion of the second meeting of the Conference of the Parties. Those
that have notified the Secretariat in this regard are listed on the Convention website.

**SUGGESTED APPROACH FOR RESPONSE:**

- If the Party has not imported mercury or mercury compounds from a non-Party it would indicate “no” and
  move to the next question.

- If the Party has imported mercury or mercury compounds from a non-Party either by providing consent
  using Form A or by a general notification Form D, accompanied by Form C from the non-Party to certify that
  the mercury was not from sources identified under paragraph 3 or paragraph 5(b), the Party would indicate
  “yes”, and for each import:
  - If the Party has not previously provided copies of its consent it is recommended that the Party do so.
  - If the Party cannot provide copies of the consent, the Party would provide information to demonstrate
    that it provided its consent, and that it had determined that the mercury to be imported from the non-Party
did not come from primary mining or mercury determined to be excess mercury from the decommissioning
of chlor-alkali facilities.
  - Relevant information (in metric tons) on the quantity of mercury imported from a non-Party for the
    respective annual periods and countries of origin, is encouraged to be provided in response to the
  Supplemental Question.
  - If the non-Party provided certification that the mercury was not from sources identified under paragraph
    3 or paragraph 5(b) of Article 3, it is recommended that the importing Party provides this. If it is not
    possible to provide this, it is recommended that the importing Party provides other suitable information
    showing that the relevant requirements of paragraph 8 of article 3 have been met.

- If the Party has submitted its general notification of consent, applied paragraph 9 of Article 3, the Party
  would also indicate its export restrictions and domestic regulatory measures, and provide information on the
  quantities and countries of origin of mercury imported from non-Parties.

**Article 4: Mercury-added products**

**Question 4.1:** Has the party taken any appropriate measures to not allow the manufacture, import or export
of mercury-added products listed in Part I of Annex A of the Convention after the phase-out date specified
for those products? (para.1.)

*If the party is implementing paragraph 2, please skip to Question 4.2.*

- Yes
- No

If yes, please provide information on the measures.

If no, has the Party registered for an exemption pursuant to article 6?

- Yes
- No

If yes, for which products (please list)? (para. 1, para. 2(d.).)

**NOTES:** A Party implementing paragraph 2 of Article 4 need not address this question and would move to the
next question.

Article 2(f) defines a “mercury-added product” as a product or product component that contains mercury or a
mercury compound that was intentionally added.
Paragraph 1 of Article 6 requires each Party not to allow, by taking appropriate measures, the manufacture, import or export of mercury-added products listed in Part I of Annex A after the phase-out date specified for those products, except where an exclusion is specified in Annex A or the Party has a registered exemption pursuant to Article 6. The phase-out date specified for the products listed in Part I of Annex A is 2020.

Paragraph 1 of Article 6 provides for any State or regional economic integration organization to register for one or more exemptions from the phase-out dates listed in Annex A by notifying the Secretariat in writing on becoming a Party to this Convention. After a State of regional economic integration organisation becomes a Party, this option is no longer available.

A list of Parties’ exemptions can be found on the Convention website.

The measures a Party may have taken could include relevant measures under environmental law, hazardous substances management law, or laws and regulations covering medical, cosmetic, electrical or other products, and product standards.

**SUGGESTED APPROACH FOR RESPONSE:**

- If the Party has taken appropriate measures not to allow the manufacture, import or export of mercury-added products listed in Part I of Annex A of the Convention after the phase-out date specified for those products, the Party would indicate “yes”, and describe the measures taken. The Party may wish to include, for each of the categories of product listed in Part I for which it has taken a measure:
  - the date the measure was taken,
  - the date on which the measure took effect (or is expected to take effect).
  
  If the Party is also a Party to the Rotterdam Convention, it may wish to include reference to its import response under that convention in relation to pesticides containing mercury or mercury compounds.

- If the Party has not taken appropriate measures not to allow the manufacture, import or export of mercury-added products listed in Part I of Annex A of the Convention after the phase-out date specified for those products, the Party would indicate “no”.

- If the Party has registered for an exemption on becoming a Party (paragraph 1(a) of Article 6) for one or more of the phase-out dates listed in Part I, the Party would indicate “yes” to the second part of the question.

- If the Party has taken measures in relation to some or all of the categories of product listed in Part I, but has also an exemption for one or more categories, it would indicate “yes” to the first part of the question (and provide the information requested) and “yes” to the second part of the question and list the products for which it has an exemption.

- If the Party has neither taken appropriate measures not to allow the manufacture, import or export of mercury-added products listed in Part I of Annex A of the Convention after the phase-out date specified for those products, nor registered for an exemption on becoming a Party (paragraph 1(a) of Article 6) for one or more of the phase-out dates listed in Part I, the Party would indicate “no” to both parts of the question, and may wish to explain the reasons it has done neither in Part C: Comments regarding possible challenges in meeting the objectives of the Convention.

**Question 4.2: If yes (implementing paragraph 2 of article 4):**

Has the Party reported to the Conference of the Parties at the first opportunity a description of the measures or strategies implemented, including a quantification of the reductions achieved? (para. 2 (a).)

- Yes
- No

Has the Party implemented measures or strategies to reduce the use of mercury in any products listed in Part I of Annex A for which a de minimis value has not yet been obtained? (para. 2 (b).)

- Yes
Has the Party considered additional measures to achieve further reductions? (para. 2 (c.).)  

- Yes
- No

If yes, please provide information on the measures.

**NOTES:** Only a Party that has provided at the time of its ratification a notification that it is implementing paragraph 2 of Article 4 needs to respond to this question. A Party not implementing paragraph 2 would move to the next question.

Paragraph 2 of Article 4 states that a Party may, as an alternative to paragraph 1 of Article 4, indicate at the time of ratification or upon entry into force of an amendment to Annex A for it, that it will implement different measures or strategies to address products listed in Part I of Annex A. The Party may only choose this alternative if it can demonstrate that it has already reduced to a de minimis level the manufacture, import, and export of the large majority of the products listed in Part I of Annex A and that it has implemented measures or strategies to reduce the use of mercury in additional products not listed in Part I of Annex A at the time it notifies the Secretariat of its decision to use this alternative.

The list of Parties implementing paragraph 2 of Article 4 can be found on the Convention website.

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**Question 4.3:** Has the Party taken two or more measures for the mercury-added products listed in Part II of Annex A in accordance with the provisions set out therein? (para. 3.)

- Yes
- No

If yes, please provide information on the measures.

**NOTES:** Dental amalgam is the only mercury-added product listed in Part II of Annex A. Part II of Annex A provides a list of measures to be taken in phasing down the use of dental amalgam. A Party is required to implement at least two measures from that list. The Conference of the Parties, in its Decision MC-3/2, encouraged Parties to take more than two measures in accordance with Part II of Annex A.

**SUGGESTED APPROACH FOR RESPONSE:**

- If the Party has taken two or measures, it would indicate “yes” and provide information on the measures taken. Such information could include the date the measure was implemented, and the effectiveness of the measure.
- If a Party has not taken such two measures it would indicate “no”, and may wish to provide an explanation in Part C: Comments regarding possible challenges in meeting the objectives of the Convention.

**Question 4.4:** Has the Party taken measures to prevent the incorporation into assembled products of mercury-added products whose manufacture, import and export are not allowed under article 4? (para. 5.)

- Yes
- No

If yes, please provide information on the measures.
NOTES: Some of the products in the categories listed in Part I of Annex A (e.g., switches, relays, batteries) are components of consumer, commercial, and industrial products including automobiles, appliances, space heaters, ovens, air handling units, security systems, levelling devices, and pumps.

SUGGESTED APPROACH FOR RESPONSE:

☐ If the Party does not have manufacturing that may be using mercury-added products that are listed in Annex A, the Party would indicate “no”.

☐ If the Party does have manufacturing that may be using mercury-added products that are listed in Annex A, and has taken measures to prevent the incorporation of those mercury-added products into assembled products, the Party would indicate “yes” and describe the measures it has taken to prevent that use.

☐ If the Party does have manufacturing that may be using mercury-added products that are listed in Annex A, but has not taken measures to prevent the incorporation of those mercury-added products into assembled products, the Party would indicate “no”, and may wish to explain the reasons it has not done so in Part C: Comments regarding possible challenges in meeting the objectives of the Convention.

SUGGESTED APPROACH FOR RESPONSE:

☐ If the Party has discouraged the manufacture and the distribution in commerce of such mercury-added products, the Party would indicate “yes” and provide information on:

▪ the measures taken,
▪ the effectiveness of the measures taken; and
▪ the date the measures came into effect.

Question 4.5: Has the Party discouraged the manufacture and the distribution in commerce of mercury-added products not covered by any known use in accordance with Article 4, paragraph 6? (para. 6.)

☐ Yes
☐ No

If yes, please provide information on the measures taken.

If no, has there been an assessment of the risks and benefits of the product that demonstrates environmental or health benefits? Has the Party provided to the Secretariat, as appropriate, information on any such product?

☐ Yes
☐ No

If yes, please name the product:______________

NOTES: This question does not refer to products already listed in Part I of Annex A. The question refers to “new” mercury-added products that have become known after the entry into force of the Convention for the Party. Each Party has an obligation to discourage the manufacturing and distribution in commerce of any such mercury-added products, unless it undertakes an assessment of the risks and benefits of the product, and that assessment demonstrates environmental or human health benefits. Paragraph 6 of Article 4 requires the Party to provide to the Secretariat, as appropriate, information on any such product, including any information on the environmental and human health risks and benefits of the product.

Measures that the Party may have taken, or may take if it becomes aware of the development or manufacturing or putting on the market of such products, in meeting this obligation could include:

▪ provision of information on mercury-free alternatives (e.g. under Articles 17 and 18 of the Convention),
▪ requiring industry to report potential new types of products, or
▪ administrative or regulatory controls on the manufacture or import of any mercury-added products.

SUGGESTED APPROACH FOR RESPONSE:

☐ If the Party has discouraged the manufacture and the distribution in commerce of such mercury-added products, the Party would indicate “yes” and provide information on:

▪ the measures taken,
▪ the effectiveness of the measures taken; and
▪ the date the measures came into effect.
If the Party has not discouraged the manufacture and the distribution in commerce of such mercury-added products, the Party would indicate “no”, and may wish to explain in Part C: Comments regarding possible challenges in meeting the objectives of the Convention its challenges in implementing this measure.

If the Party has undertaken an assessment of the risks and benefits of such mercury-added product(s) that demonstrated environmental or health benefits, the Party would indicate “yes”, and:

- name the product(s)
- indicate whether it has provided to the Secretariat information on the product(s).

If the Party has not undertaken an assessment of the risks and benefits of such mercury-added product(s) that demonstrated environmental or health benefits, the Party would indicate “no”, and may wish to explain in Part C: Comments regarding possible challenges in meeting the objectives of the Convention its challenges in implementing this measure.

### Article 5: Manufacturing processes in which mercury or mercury compounds are used

**Question 5.1:** Are there facilities within the territory of the Party that use mercury or mercury compounds for the processes listed in Annex B of the Minamata Convention in accordance with paragraph 5 of Article 5 of the Convention? (para. 5.)

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

If yes, please provide information on measures taken to address emissions and releases of mercury or mercury compounds from such facilities.

If available, please provide information on the number and type of facilities and the estimated annual amount of mercury or mercury compounds used in those facilities.

Please provide information on how much mercury (in metric tons) is used in the processes listed in the two first entries of Part II of Annex B in the last year of the reporting period.

**NOTES:** For the purposes of Article 5 and Annex B, manufacturing processes in which mercury or mercury compounds are used do not include processes using mercury-added products, processes for manufacturing mercury-added products or processes that process mercury-containing waste. Also, for the purposes of Article 5 and Annex B, the definitions of “mercury” and “mercury compounds” are those contained in Article 2.

Each Party is to endeavour to identify facilities within its territory that use mercury or mercury compounds for processes listed in Annex B and submit to the Secretariat, no later than three years after the date of entry into force of the Convention for it, information on the number and types of such facilities and the estimated annual amount of mercury or mercury compounds used in those facilities.

The process of endeavouring to identify facilities within the Party’s territory could include reference to any licensing or registration schemes for facilities using mercury or mercury compounds, the Party’s implementation plan developed pursuant to Article 20 (if one was developed), or the Minamata Initial Assessment (if one was undertaken).

**SUGGESTED APPROACH FOR RESPONSE:**

- If the Party has determined that it has no facilities within its territory that use mercury or mercury compounds for the processes listed in Annex B of the Minamata Convention, the Party would indicate “no” and move to the next question.

- If the Party has either not attempted to identify whether it has facilities within its territory that use mercury or mercury compounds for the processes listed in Annex B of the Minamata Convention, or has...
initiated the process of identifying but has not completed the process, the Party would indicate “do not know” and may wish to provide an explanation in Part C: Comments regarding possible challenges in meeting the objectives of the Convention.

☐ If the Party has identified facilities within its territory that use mercury or mercury compounds, the Party would indicate “yes”, and provide information on:

- the number and type of facilities (if available);
- the estimated total amount (in metric tons) of mercury or mercury compounds used in those facilities in the annual periods of the reporting period;
- the measures taken to address emissions and releases of mercury or mercury compounds from such facilities.

☐ If the Party has identified facilities within its territory that use mercury or mercury compounds in facilities producing vinyl chloride monomer, or sodium or potassium methylate or ethylate, the Party would indicate how much mercury (in metric tons) was used in those processes last year of the reporting period.

Question 5.2: Are measures in place to not allow the use of mercury or mercury compounds in manufacturing processes listed in Part I of Annex B after the phase-out date specified in that Annex for the individual process? (para. 2.)

Chlor-alkali production:

☐ Yes
☐ No
☐ Not applicable (do not have those facilities)

If yes, please provide information on these measures.

Acetaldehyde production in which mercury or mercury compounds are used as a catalyst:

☐ Yes
☐ No
☐ Not applicable (do not have those facilities)

If yes, please provide information on these measures.

If no to either of the questions above, has the Party registered for an exemption pursuant to article 6?

☐ Yes
☐ No

If yes, for which process(es)? (please list)

NOTES: Chlor-alkali production and acetaldehyde production are manufacturing processes that may use mercury or mercury compounds, that are subject to Article 5, paragraph 2 and are as such listed in Annex B, Part I for phase-out by 2025 and 2018 respectively. The measures not to allow the use of mercury or mercury compounds in chlor-alkali production or acetaldehyde production would generally be found in a Party’s hazardous substances control law, environmental law or permitting requirements, or other policy instruments.

Paragraph 1 of Article 6 provides for any State or regional economic integration organization to register for one or more exemptions from the phase-out dates listed in Annex B by notifying the Secretariat in writing on becoming a Party to this Convention. After a State of regional economic integration organisation becomes a Party, this option is no longer available.

A list of Parties’ exemptions can be found on the Convention website.
SUGGESTED APPROACH FOR RESPONSE:

☐ If the Party does not have chlor-alkali production facilities and/or acetaldehyde production facilities, the Party would indicate “not applicable” under the applicable sub-heading and move to the next question.

☐ If the Party has measures in place to phase-out chlor-alkali production by 2025 and/or acetaldehyde production by 2018, the Party would indicate “yes”, and provide further information on the measures in the place for the indicated process(es).

☐ If the Party has registered for an exemption pursuant to Article 6, the Party would indicate “yes”, and list the process(es) for which it registered exemptions.

☐ If the Party has not registered for an exemption pursuant to Article 6, the Party would indicate “no”.

☐ If the Party has indicated “no” to either of the first two parts to the question, and has not registered for an exemption, the Party may wish to provide an explanation in Part C: Comments regarding possible challenges in meeting the objectives of the Convention.

Question 5.3: Are measures in place to restrict the use of mercury or mercury compounds in the processes listed in Part II of Annex B in accordance with the provisions set out therein? (para. 3.)

Vinyl chloride monomer production:
☐ Yes
☐ No
☐ Not applicable (do not have these facilities)

If yes, please provide information on these measures.

Sodium or potassium methylate or ethylate:
☐ Yes
☐ No
☐ Not applicable (do not have these facilities)

If yes, please provide information on these measures.

Production of polyurethane using mercury-containing catalysts:
☐ Yes
☐ No
☐ Not applicable (do not have these facilities)

If yes, please provide information on these measures.

NOTES: Vinyl chloride monomer production, sodium or potassium methylate or ethylate production, and the production of polyurethane using mercury-containing catalysts are subject to Article 5, paragraph 3 and are as such listed in Annex B, Part II with specific provisions.

The measures to be taken must include those listed in Part II of Annex B under the respective listed processes.

SUGGESTED APPROACH FOR RESPONSE:

☐ If the Party does not have facilities that use mercury or mercury compounds in the processes listed in Part II of Annex B, the Party would indicate “not applicable” under the applicable sub-heading and move to the next question.
If the Party does have facilities that use mercury or mercury compounds in the processes listed in Part II of Annex B, the Party would indicate “yes” as appropriate, and provide information such as:

- The measures taken pursuant to Part II of Annex B,
- The date of implementation of the measures,
- The effectiveness of the measures.

If the Party has indicated “no” to one or more parts of the question, or if the Party indicated “yes” but has not taken the measures provided for in Part II of Annex B, the Party may wish to provide an explanation in Part C: Comments regarding possible challenges in meeting the objectives of the Convention.

**Question 5.4:** Is there any use of mercury or mercury compounds in a facility using the manufacturing processes listed in Annex B that did not exist prior to the date of entry into force of the Convention for the Party? (para. 6.)

- Yes
- No

If yes, please explain the circumstances.

**NOTES:** Paragraph 6 of Article 5 requires a Party not to allow the use of mercury or mercury compounds in a facility that did not exist prior to the date of entry into force of the Convention for it using the manufacturing processes listed in Annex B. This paragraph does not apply to any facility producing polyurethane using mercury containing catalysts.

**SUGGESTED APPROACH FOR RESPONSE:**

- If the Party has a facility that did not exist prior to entry into force of the Convention for it and that facility is using mercury or mercury compounds in the manufacturing processes listed in Annex B, it would indicate “yes”, and provide information such as:
  - the number of such facilities,
  - the manufacturing process that is using mercury or mercury compounds,
  - the annual amount in metric tons of mercury or mercury compounds used.

- If the Party has a facility that did not exist prior to entry into force of the Convention for it and that facility is producing polyurethane using mercury containing catalysts, the Party would indicate “yes”, and explain that the facility is producing polyurethane using mercury containing catalysts.

- If the Party does not have any such facility, it would indicate “no”.

**Question 5.5:** Is there any facility that has been developed using any other manufacturing process in which mercury or mercury compounds are intentionally used that did not exist prior to the date of entry into force of the Convention? (para. 7.)

- Yes
- No

If yes, please provide information on how the Party tried to discourage this development or that the party has demonstrated the environmental and health benefits to the Conference of the Parties and that there are no technically and economically feasible mercury-free alternatives available providing such benefits.

**NOTES:** Paragraph 7 of Article 5 refers to the date of entry into force of the Convention, and not to the date of entry into force of the Convention for the Party. The date of entry into force of the Convention was 16 August 2017. The term “discourage” is not defined in the Convention, but could include measures ranging from a ban on mercury use in any industrial process to making available information on, or providing incentives for the
adoption of, alternate processes that do not use mercury or mercury compounds. Measures that the Party may have taken in meeting this obligation could include provision of information on mercury-free alternatives (e.g. under Articles 17 and 18 of the Convention).

**SUGGESTED APPROACH FOR RESPONSE:**

☐ If the Party does not have manufacturing processes in which mercury or mercury compounds are intentionally used, the Party would indicate “no” and move to the next question.

☐ If the Party has not identified any facility that has been developed using any other manufacturing process in which mercury or mercury compounds are intentionally used that did not exist prior to the date of entry into force of the Convention for the Party, the Party would indicate “no” and move to the next question.

☐ If the Party has identified any facility that has been developed using any other manufacturing process in which mercury or mercury compounds are intentionally used that did not exist prior to the date of entry into force of the Convention for the Party, the Party would indicate “yes”, and

- if the Party had attempted to discourage the development of such a facility, the Party would describe the measures it took; or
- if the Party determined that the manufacturing process provides significant environmental and health benefits and that there are no technically and economically feasible mercury-free alternatives available providing such benefits, and has demonstrated that to the satisfaction of the Conference of the Parties, the Party would provide information that references for the Conference’s satisfaction.

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

**Question 7.1:** Have steps been taken to reduce, and where feasible eliminate, the use of mercury and mercury compounds in, and the emissions and releases to the environment of mercury from, artisanal and small-scale gold mining and processing subject to Article 7 within your territory? (para. 2.)

☐ Yes

☐ No

☐ There is no artisanal and small-scale gold mining and processing subject to Article 7 in which mercury amalgamation is used in the territory.

If yes, please provide information on the steps.

**NOTES:** Article 2(a) of the Convention defines artisanal and small-scale gold mining as gold mining conducted by individual miners or small enterprises with limited capital investment and production. Paragraph 1 of Article 7 limits the application of the measures in Article 7 and Annex C to artisanal and small-scale gold mining and processing where mercury amalgamation is used to extract gold from ore. Large scale gold mining, artisanal and small-scale mining for materials other than gold, and artisanal and small-scale gold mining that does not use mercury are not subject to Article 7.

It should be noted that Question 7.1 refers to any artisanal and small-scale gold mining and processing that is using mercury or mercury compounds, regardless of the extent of the activity.

**SUGGESTED APPROACH FOR RESPONSE:**

☐ If the Party does not have artisanal and small-scale gold mining and processing using mercury amalgamation to extract gold from ore, the Party would indicate “there is no …” and move to the next question.

☐ If the Party does have artisanal and small-scale gold mining and processing using mercury amalgamation to extract gold from ore, and it has taken steps to reduce, and where feasible eliminate, the use of mercury and mercury compounds in, and the emissions and releases to the environment of mercury from, such mining and processing, the Party would indicate “yes”, and provide information such as:

- the steps the Party has taken,
- the date the steps were taken and
- the effectiveness of the steps.

If the Party does have artisanal and small-scale gold mining and processing using mercury amalgamation to extract gold from ore, but has not taken steps to reduce, and where feasible eliminate, the use of mercury and mercury compounds in, and the emissions and releases to the environment of mercury from, such mining and processing, it would indicate “no”, and may wish to provide, in Part C: Comments regarding possible challenges in meeting the objectives of the Convention information on:

- the reasons it has not taken any steps, and
- when it anticipates taking steps.

Question 7.2: Has the Party determined and notified the Secretariat that artisanal and small-scale gold mining and processing within its territory is more than insignificant?

☐ Yes
☐ No

If no, please proceed to Article 8 on emissions

NOTES: Paragraph 3 of Article 7 requires a Party that has determined that artisanal and small-scale gold mining and processing within its territory is more than insignificant to notify the Secretariat. The list of Parties that have so notified the Secretariat available on the Convention website.

SUGGESTED APPROACH FOR RESPONSE:

☐ If the Party has determined and notified the Secretariat that artisanal and small-scale gold mining and processing within its territory is more than insignificant, it would indicate “yes”.

☐ If the Party has determined that artisanal and small-scale gold mining and processing within its territory is not more than insignificant, it would indicate “no”, and may wish to move to Question 7.5 below.

☐ If the Party has not determined whether or not artisanal and small-scale gold mining and processing within its territory is not more than insignificant, it would indicate “no”, and may wish to move to Question 7.5 below.

Question 7.3: Has the Party developed and implemented a national action plan and submitted it to the secretariat? (para. 3 (a), para. 3 (b).)

☐ Yes
☐ No
☐ In progress

NOTES: This question applies only to a Party that has indicated “yes” to Question 7.2.

Paragraphs 3(a) and 3(b) of Article 7 require a Party that has notified the Secretariat that it has artisanal and small-scale gold mining and processing that is more than insignificant to develop and implement a national action plan, and to submit that plan to the Secretariat within three years of either the date of entry into force of the Convention for it, or the date of notification to the Secretariat, whichever is later.

SUGGESTED APPROACH FOR RESPONSE:

☐ If the Party has developed and is implementing a national action plan, it would indicate “yes”.

☐ If the Party has not developed a national action plan, it would indicate “no”.
If the Party is either still developing the national action plan or has completed it but is not yet implementing it, or has not submitted the national action plan to the Secretariat, it would indicate “in progress”.

Question 7.4: Attach your most recent review that must be completed under paragraph 3 (c) of Article 7, unless it is not yet due.

NOTES: This question applies only to a Party that has indicated “yes” to Question 7.3.

Paragraph 3(c) of Article 7 requires a Party that has more than insignificant artisanal and small-scale gold mining and processing in its territory to provide a review every three years of its progress in meeting its obligations under Article 7.

SUGGESTED APPROACH FOR RESPONSE:

☐ If such a review by the Party is due, and has been completed, the Party would either:
  ▪ attach the review, or
  ▪ indicate where it is available online.

☐ If such a review by the Party is due, but has not been completed, the Party may wish to provide an explanation in Part C: Comments regarding possible challenges in meeting the objectives of the Convention and Part E: Additional comments on each of the articles.

Question 7.5: Supplemental: Has the Party cooperated with other countries or relevant intergovernmental organizations or other entities to achieve the objective of this Article? (para. 4.)

☐ Yes
☐ No

If yes, please provide information.

SUGGESTED APPROACH FOR RESPONSE:

☐ If the Party has participated in any bilateral or regional cooperation, or any projects undertaken in cooperation with, or support from, intergovernmental organisations (e.g., UNEP, UNIDO, UNDP, the World Bank, UNITAR etc) or other entities (e.g., non-Parties or NGOs) to achieve the objective of Article 7, the Party would indicate “yes”, and may wish to provide information, including:
  ▪ the nature of the cooperation, support or project
  ▪ with whom the Party cooperated
  ▪ date of cooperation
  ▪ whether the result of the cooperation is available online and where it can be accessed
  ▪ if it is not available online, the Party may wish to attach any available information.

☐ If the Party has not cooperated with other countries or relevant intergovernmental organizations or other entities to achieve the objective of Article 7, the Party would indicate “no”.

Article 8: Emissions

Question 8.1: Identify any Annex D source categories for which there are new sources of emissions of mercury or mercury compounds as defined in paragraph 2 (c) of Article 8.

For each of those source categories describe the measures in place, including the effectiveness of such measures, to implement the requirements of paragraph 4 of Article 8.
Has the Party required the use of best available techniques or best environmental practices (BAT/BEP) to control and where feasible reduce emissions for new sources no later than 5 years after the date of entry into force of the Convention for the party? (para. 4.)

☐ Yes
☐ No (please explain)

NOTES: Paragraph 2(b) defines a “relevant source” as a source falling within one of the source categories listed in Annex D of the Convention. Paragraph 3 of Article 8 requires a Party with relevant sources to take measures to control emissions (from those sources). Paragraph 4 of Article 8 requires the use of BAT and BEP for new sources within the source categories listed in Annex D within five years of entry into force of the Convention for a Party. A Party may also use emission limit values that are consistent with the application of BAT.

The Party would first determine which, if any, of the source categories listed in Annex D have been identified in its territory. It would then determine if there are any new sources (as defined in paragraph 2(c) of Article 8).

The Party may then wish to refer to the measures outlined in the guidance on BAT and BEP adopted by the Conference of the Parties at its first meeting.

In describing the measures taken, the Party may wish to include reference to legislation and/or regulation enacted to require the application of BAT and BEP. The Party may wish to refer to its national documents, or relevant guidance provided to facilities, and attach relevant documentation.

SUGGESTED APPROACH FOR RESPONSE:

☐ If the Party has determined that it has in its territory no new sources in any of the source categories listed in Annex D, it would indicate “no”, and explain that it has no new sources. The Party can then move to Question 8.2.

☐ If the Party has identified that it has in its territory new sources in any of the source categories listed in Annex D, it would list those source categories.

☐ If the Party has required the use of BAT (or emission limit values that are consistent with the application of BAT) and BEP to control and where feasible reduce emissions for new sources no later than 5 years after the date of entry into force of the Convention for the Party, it would indicate “yes”, and describe:
  - the BAT and BEP measures it has taken;
  - the date that the measures were taken; and
  - the effectiveness of those measures, for example, the responsiveness of facilities in adopting BAT and BEP as required, and an estimate of emission reductions achieved or expected.

☐ If the Party has identified that it has in its territory new sources in any of the source categories listed in Annex D but has not required the use of BAT and BEP to control and where feasible reduce emissions for new sources no later than 5 years after the date of entry into force of the Convention for the Party, or has initiated action to require such use of BAT and BEP that has not been completed, it would indicate “no” and provide that explanation.

Question 8.2: Identify any Annex D source categories for which there are existing sources of emissions of mercury or mercury compounds as defined in paragraph 2 (e) of Article 8.

For each of those source categories, select and provide details on the measures implemented under paragraph 5 of Article 8 and explain the progress that these applied measures have achieved in reducing emissions over time in your territory:

☐ A quantified goal for controlling and, where feasible, reducing emissions from relevant sources;

☐ Emission limit values for controlling and, where feasible, reducing emissions from relevant sources;
Use of BAT/BEP to control emissions from relevant sources;
- Multi-pollutant control strategy that would deliver co-benefits for control of mercury emissions;
- Alternative measures to reduce emissions from relevant sources.

Have the measures for existing sources under paragraph 5 of Article 8 been implemented no later than 10 years after the date of entry into force of the Convention for the party?
- Yes
- No (please explain)

NOTES: In responding to this question, a Party would first indicate which, if any, of the source categories listed in Annex D have been identified in its territory, and if there are any existing sources (as defined in paragraph 2(e) of Article 8). The measures listed are those contained in paragraph 5 of Article 8.

SUGGESTED APPROACH FOR RESPONSE:

☐ If the Party has identified that it has in its territory existing sources in any of the source categories listed in Annex D it, the Party would list those source categories.

☐ If the Party has implemented one or more of the measures listed, the Party would:
- indicate which of the measures it has taken;
- the date it took the measures,
- the effectiveness of those measures, including the responsiveness of facilities in responding to the measures and an estimate of emission reductions achieved.

☐ If the Party has implemented the measures within 10 years of entry into force of the Convention for it, the Party would indicate “yes”.

☐ If the Party has not implemented the measures within 10 years of entry into force of the Convention for it, the Party would indicate “no”, and provide an explanation, including an indication of when it anticipates implementing measures.

☐ If the Party has no existing sources, the Party would indicate “no”, and explain that it has no existing sources.

Question 8.3: Has the Party prepared an inventory of emissions from relevant sources within 5 years of entry into force of the Convention for it? (para. 7.)
- Yes
- No
- Have not been a Party for 5 years

If yes, when was the inventory last updated?

Please indicate where this inventory is available.

If no such inventory exists, please explain.

NOTES: The Convention entered into force on 16 August 2017, and hence it will not have been in force for five years for any Party for the reporting cycle ending on 31 December 2021. The Conference of the Parties at its first meeting adopted guidance to assist a Party in establishing its inventory of emissions from relevant sources.

SUGGESTED APPROACH FOR RESPONSE:

☐ If the Party has prepared an inventory of emissions from relevant sources, it would indicate “yes” and:
- whether the inventory is available online (and, if so where),
- if not online, either attach a copy of the inventory to this report, or indicate where the inventory can be accessed, and
- the date of its most recent update.

If the Party has been a Party for five or more years, but has not prepared an inventory of emissions from relevant sources, it would indicate “no” and may wish to provide an explanation in Part C: Comments regarding possible challenges in meeting the objectives of the Convention.

If a Party has not been a Party for five years, it would also indicate “Have not been a party for 5 years”. No further explanation is necessary.

**Question 8.4: Has the Party chosen to establish criteria to identify relevant sources covered within a source category? (para. 2 (b).)**

- Yes
- No

If yes, please explain how the criteria for any category include at least 75 percent of the emissions from that category and explain how the Party took into account guidance adopted by the Conference of the Parties.

**Notes:** Paragraph 2(b) of Article 8 allows a Party to establish criteria to identify the sources covered within a source category listed in Annex D so long as those criteria for any category include at least 75 per cent of the emissions from that category. The Conference of the Parties at its first meeting adopted guidance to assist a Party in establishing such criteria. The guidance is available on the Convention website.

**Suggested Approach for Response:**

- If the Party has not chosen to establish criteria to identify relevant sources covered within a source category, the Party would indicate “no” and move to the next question.
- If the Party has chosen to establish criteria to identify relevant sources covered within a source category, the Party would indicate “yes”; and explain how the criteria for any category include at least 75 percent of the emissions from that category, and how the Party took into account guidance adopted by the Conference of the Parties.

**Question 8.5: Has the Party chosen to prepare a national plan setting out the measures to be taken to control emissions from relevant sources and its expected targets, goals and outcomes? (para. 3.)**

- Yes
- No

If yes, has the Party submitted its national plan to the Conference of the Parties under this article no later than 4 years after the date of entry into force of the Convention for the Party?

- Yes
- No (please explain)

**Notes:** The development of a national plan setting out the measures to be taken to control emissions and its expected targets, goals and outcomes is optional for a Party under paragraph 3 of Article 8. However, if a Party develops such a plan, either as a “stand alone” or within an implementation plan developed in accordance with Article 20, the plan must be submitted to the Conference of the Parties within four years of entry in force of the Convention for the Party.

**Suggested Approach for Response:**
If the Party has not decided to develop such a plan, the Party would indicate “no” to the first part of Question 8.5, and move to the next question.

If the Party has decided to develop such a national plan, the Party would indicate “yes” to the first part of Question 8.5.

If the Party has submitted its national plan to the Conference of the Parties within four years of entry into force of the Convention for the Party, the Party would indicate “yes” to the second part of Question 8.5.

If the Party has decided to develop, but has not completed, such a national plan, the Party would indicate “no” to the second part of Question 8.5, and explain that the plan has not been finalised.

If the Party has developed its national plan, but has not submitted it to the Conference of the Parties, it would indicate “no”, and explain the reasons that it has not yet done so.

### Article 9: Releases

**Question 9.1:** Are there, within the Party’s territory, relevant sources of releases as defined in paragraph 2 (b) of article 9? (Para. 4.)

- [ ] Yes
- [ ] No
- [ ] Do not know (please explain)

If yes, please indicate the measures taken to address releases from relevant sources and the effectiveness of those measures. (Para. 5.)

### Notes:

Paragraph 3 of Article 9 requires a Party to identify its relevant point source categories within three years of entry into force of the Convention for it. Decision MC-3/4 provides some clarity to assist a Party in determining whether it has relevant point sources of release, namely:

- a) categories of point sources of releases should not include potentially significant relevant point sources for which releases are addressed in other provisions of the Minamata Convention on Mercury, irrespective of whether those other provisions include an inventory obligation;
- b) diffuse sources should not be included; and
- c) source categories should be limited to those for which mercury releases have been documented.

Guidance on the methodology for preparing inventories of releases has not been adopted by the Conference of the Parties. The measures to be taken by a Party to control releases from a relevant source are set out in paragraph 5 of Article 9. Paragraph 5(b) refers to “best available techniques” and “best environmental practices”. Although guidance on best available techniques and best environmental practices pursuant to Paragraph 7(a) of Article 9 has not been adopted by the Conference of the Parties, the terms are defined in Article 2 of the Convention.

### Suggested Approach for Response:

- If the Party has determined that there are no relevant sources of releases within its territory, the Party would indicate “no”.
- If the Party has not identified relevant sources within its territory, either because the period since entry into force of the Convention for it is less than three years, or it has been unable to proceed pending the guidance from the Conference of the Parties, or it is still in the process of determining if it has relevant sources, the Party would indicate “do not know” and provide an explanation, or information on the process it is following to enable it to make such a determination, and when it expects to make that determination.
- If the Party has identified relevant sources of releases within its territory, it would indicate “yes”, and indicate:
which of the measures in paragraph 5 of Article 9 it has used to control the releases,
the date that the measures were taken; and
the effectiveness of the measures implemented, for example, the reduction in releases compared with a baseline prior to their implementation.

**Question 9.2:** Has the Party established an inventory of releases from relevant sources within 5 years of entry into force of the convention for it? (para. 6.)

- Yes
- Relevant sources do not exist in the territory
- Have not been a party for 5 years
- No (please explain)
- Do not know (please explain)

If yes, when was the inventory last updated?
Please indicate where the information is available.

**NOTES:** Paragraph 6 of Article 9 requires each Party to establish, as soon as practicable and no later than five years after the date of entry into force of the Convention for it, and maintain thereafter, an inventory of releases from relevant sources. As the Convention entered into force on 16 August 2017, it will not have been in force for five years for any Party for the reporting cycle ending on 31 December 2021. Guidance on the methodology for preparing inventories of releases pursuant to Paragraph 7(b) of Article 9 has not yet been adopted by the Conference of the Parties.

**SUGGESTED APPROACH FOR RESPONSE:**
- If the Party that has indicated under Question 9.1 that it has no relevant sources of releases, it would indicate “relevant sources do not exist in the territory”, and no further explanation is required.
- If the Party indicated under Question 9.1 that it has relevant sources of releases, and has established an inventory, the Party would indicate “yes” and:
  - whether the inventory is available online (and, if so where),
  - if not online, either attach a copy of the inventory to this report, or indicate where the inventory can be accessed, and
  - the date of the most recent update of the inventory.
- If the Party indicated under Question 9.1 that it does not know if it has relevant sources, the Party would indicate “no”, and repeat its explanation from Question 9.1.
- If the Party indicated under Question 9.1 that it has relevant sources of releases, but has not established an inventory, it would indicate “no”, and provide an explanation of why it has not done so.

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

**Question 10.1:** Has the Party taken measures to ensure that the interim storage of non-waste mercury and mercury compounds intended for a use allowed to a Party under the Convention is undertaken in an environmentally sound manner? (para 2.)

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

If yes, please indicate the measures taken to ensure that such interim storage is undertaken in an environmentally sound manner and the effectiveness of those measures.
NOTES: Article 10 addresses mercury and mercury compounds when they are held in various locations prior to intended use. The scope of Article 10 is limited to mercury and mercury compounds as defined in Article 3. Accordingly, it covers:

- mercury (elemental);
- mixtures of mercury with other substances, including alloys of mercury, with a mercury concentration of at least 95 per cent by weight; and
- mercury compounds, namely mercury (I) chloride (known also as calomel), mercury (II) oxide, mercury (II) sulphate, mercury (II) nitrate, cinnabar and mercury sulphide.

It does not cover waste mercury or mercury compounds as defined in paragraph 2 of Article 11, namely substances or objects:

- consisting of mercury or mercury compounds;
- containing mercury or mercury compounds; or
- contaminated with mercury or mercury compounds in a quantity above the relevant thresholds defined by the Conference of the Parties, in collaboration with the relevant bodies of the Basel Convention in a harmonized manner, that are disposed of, or are intended to be disposed of, or are required to be disposed of by the provisions of national law or the Minamata Convention.

The Convention does not define the term “interim storage”. However, the Guidelines on the Environmentally Sound Interim Storage of Mercury other than Waste Mercury adopted by the Conference of the Parties at its second meeting refers to environmentally sound interim storage of mercury and mercury compounds other than waste mercury as being storage in which the mercury or mercury compounds are managed in a manner that will protect human health and the environment against the adverse effects which may result from the storage of such mercury and mercury compounds pending a use allowed under the Convention.

Article 2(k) defines an “allowed use” as any use by a Party of mercury or mercury compounds consistent with this Convention, including, but not limited to, uses consistent with Articles 3, 4, 5, 6 and 7. Accordingly, interim storage can be associated with, but not limited to, such locations as:

- Facilities supplying mercury or mercury compounds;
- Facilities associated with the trading of mercury or mercury compounds for an allowed use;
- Mercury-added product manufacturing plants;
- Sites with industrial processes using mercury;
- Sites where artisanal and small-scale gold mining is occurring; and
- Other designated interim storage locations.

Measures that a Party might wish to report could include:

- identifying the mercury and mercury compounds that are being held in its territory,
- determining the amounts of mercury and mercury compounds being stored in each location (see also paragraph 5(a) of Article 3),
- development of multi-sectoral chemicals management plans that address mercury and mercury compounds,
- licensing of interim storage facilities,
- facility specific measures consistent with the Guidelines above.

The Party may be in the process of developing its Minamata Initial Assessment or implementation plan pursuant to Article 20, and so may not yet be aware of locations in its territory where mercury is being stored on an interim basis.

SUGGESTED APPROACH FOR RESPONSE:

☐ If the Party has not taken measures to ensure that the interim storage of non-waste mercury and mercury compounds intended for a use allowed to a Party under the Convention is undertaken in an environmentally sound manner.
sound manner, the Party would indicate “\textbf{no}”, and may wish to provide a clarification of why it has not taken such measures in \textit{Part C: Comments regarding possible challenges in meeting the objectives of the Convention}. 

\begin{itemize}
  \item [\square] If the Party does not know whether it has locations in its territory that are storing mercury on an interim basis, or whether it has taken measures to ensure that the interim storage of non-waste mercury and mercury compounds intended for a use allowed to a Party under the Convention is undertaken in an environmentally sound manner, the Party would indicate “\textbf{do not know}” and provide an explanation.
  \item [\square] If the Party has taken measures to ensure that the interim storage of non-waste mercury and mercury compounds intended for a use allowed to a Party under the Convention is undertaken in an environmentally sound manner, the Party would indicate “\textbf{yes}” and indicate the measures it has taken, the date that the measures were taken, and the effectiveness of those measures.
\end{itemize}

\begin{center}
\textbf{Article 11: Mercury wastes}
\end{center}

\begin{table}
\begin{tabular}{|l|}
\hline
\textbf{Question 11.1:} Have measures outlined in Article 11, paragraph 3, been implemented for the Party’s mercury waste? (para. 3.) \\
\hline
\textbf{\quad} Yes \\
\hline
\textbf{\quad} No \\
\hline
\end{tabular}
\end{table}

\textbf{NOTES:} For the provisions under Article 11, the broad definition of “mercury compounds” as defined in Article 2(e) of the Convention applies.

Although paragraph 2 of Article 11 refers to “…thresholds defined by the Conference of the Parties…” the Conference of the Parties decided in its decision \textit{MC-3/5} that no threshold needs be established for mercury waste falling under paragraphs 2(a) and 2(b) of Article 11, namely for substances consisting of, or containing, mercury or mercury compounds, and wastes listed in the table attached to the decision are regarded as such waste.

No threshold needs to be established for waste containing mercury or mercury compounds and mercury-added products that are disposed of, are intended to be disposed of, or are required to be disposed of that are regarded as such waste. Thresholds for waste contaminated with mercury or mercury compounds are currently being developed.

The measures outlined in paragraph 3 of Article 11 are, briefly:

- to ensure that mercury waste is managed in an environmentally sound manner, taking into account the Basel Convention guidelines\textsuperscript{4} and requirements to be developed by the Conference of the Parties of the Minamata Convention,
- to ensure that mercury waste can only be recovered, recycled, reclaimed or directly re-used for a use allowed under the Minamata Convention, or for environmentally sound disposal,
- not to transport mercury wastes across international boundaries, except for environmentally sound disposal in conformity with Article 11 and the Basel Convention,

The steps the Party may have taken in applying paragraph 3 of Article 11 might include ensuring that any definition of hazardous waste under its domestic legislation is consistent with paragraph 2 of Article 11, restricting the use of mercury that is available for direct re-use, or has been recovered, recycled or reclaimed from waste, to uses allowed under the Convention, and restricting the trans-boundary transport of mercury waste.

SUGGESTED APPROACH FOR RESPONSE:

☐ If the Party has not taken the measures outlined in paragraph 3 of Article 11, it would indicate “no”, and may wish to provide an explanation in Part C: Comments regarding possible challenges in meeting the objectives of the Convention.

☐ If the Party has undertaken the measures outlined in paragraph 3 of Article 11, it would indicate “yes” and describe the measures taken, the date that the measures were taken and the effectiveness of those measures.

Question 11.2: *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.

NOTES: Question 11.2 relates only to facilities for final disposal of waste consisting of mercury or mercury compounds. It does not seek information on disposal of waste containing mercury or mercury compounds, or contaminated with mercury or mercury compounds.

The Conference of the Parties, in its decision MC-3/5, decided that the waste listed in table 1 of the annex to that decision shall be regarded as such mercury waste.

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. 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, for example, 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, and to conduct long-term monitoring.

Information on facilities for final disposal of mercury or mercury compounds could be found in reporting under national laws governing hazardous waste management and hazardous substance control, or from the development of a Minamata Initial Assessment or implementation plan developed pursuant to Article 20 of the Convention. It should be noted that the question seeks the identification of facilities.

SUGGESTED APPROACH FOR RESPONSE:

☐ If the Party has facilities for final disposal of waste consisting of mercury or mercury compounds in territory, it would indicate “yes”, and report on the amount (in metric tons) of waste containing mercury or mercury compounds that has been subjected to final disposal for each of the years of reporting, as well as the method such final disposal.

☐ If the Party does not have facilities for final disposal of waste consisting of mercury or mercury compounds in territory, it would indicate “no”.

If the Party has not determined if it has facilities for final disposal of waste consisting of mercury or mercury compounds in territory, but is in the process of doing so (for example through the development of its Minamata Initial Assessment or implementation plan), the Party would indicate “do not know”, and provide that explanation.

**Article 12: Contaminated sites**

**Question 12.1:** Has the Party endeavoured to develop strategies for identifying and assessing sites contaminated by mercury or mercury compounds in its territory? (para. 1.)

[ ] Yes

[ ] No

Please elaborate.

**NOTES:** Contaminated sites can be active, where existing processes or practices continue to contribute to the contamination, and historical, where such processes or practices have stopped but the pollution remains. The cause of the contamination can vary, from large industrial operations such as chlor-alkali facilities to smaller operations such as artisanal and small-scale gold mining sites. Moreover, the sources of the contamination may be waste management activities, stack emissions, fugitive emissions, and/or spills and emergency incidents.

The Conference of the Parties at its third meeting adopted *Guidance on the Management of Contaminated Sites.* The guidance notes that the term “contaminated site” is not specifically defined in the Convention text. Parties may have their own definition in their legislation.

In the guidance, a “contaminated site” refers to a site where there is a confirmed presence, caused by human activities, of mercury and mercury compounds at such level(s) as to be considered by a Party as posing a significant risk to human health or the environment.

**SUGGESTED APPROACH FOR RESPONSE:**

[ ] If the Party has either developed a strategy for identifying and assessing sites contaminated by mercury or mercury compounds in its territory, or initiated the development of such a strategy, the Party would respond “yes,” and provide information such as:

   • the process followed in developing the strategy;
   • either the date the strategy was finalised, or the anticipated date when it will have been finalised;
   • where the strategy is available online;
   • if not online, either attach a copy of the strategy to this report, or indicate where it can be accessed;
   • the status of implementing any activities under the strategy for identifying, assessing, prioritizing, managing and, as appropriate, remediating contaminated sites.

[ ] If the Party has not endeavoured to develop such a strategy, it would indicate “no”, and provide information to clarify its position, including whether it has plans to develop a strategy.

**Article 13: Financial resources and mechanism**

**Question 13.1:** Has the Party undertaken to provide, within its capabilities, resources in respect of those national activities that are intended to implement the Convention in accordance with its national policies, priorities, plans and programmes? (para. 1.)

[ ] Yes *(please specify)*

[ ] No *(please specify why not)*

Please provide comments, if any.
Paragraph 1 of Article 13 relates to the Party’s undertaking to provide resources for the implementation of its national activities to implement the Convention. Such resources may include domestic funding through relevant policies, development strategies and national budgets, and bilateral and multilateral funding, as well as costs borne by the private sector in undertaking the required Convention obligations.

**SUGGESTED APPROACH FOR RESPONSE:**

☐ If the Party has provided resources for national activities that are intended to implement the Convention, the Party would indicate “yes”, and provide:
  - Information on the types of resources it has provided, e.g. financial, in-kind contributions, scientific expertise, public information/awareness, and
  - if possible, an estimate of the total financial support and other resources for each of the reporting years.

☐ If the Party has not provided resources, the Party would indicate “no” and provide an explanation in Part C: Comments regarding possible challenges in meeting the objectives of the Convention.

**Question 13.2:** Supplemental: Has the Party, within its capabilities, contributed to the mechanism referred to in paragraph 5 of article 13? (para. 12.)

*Please tick one box only*

☐ Yes (please specify)

☐ No (please specify why not)

Please provide comments, if any.

**NOTES:** The Mechanism referred to in paragraph 5 of Article 13 is comprised of the Global Environment Facility and the Specific International Programme to support capacity-building and technical assistance. The Specific International Programme was made operational by Decision MC-1/9 of the Conference of the Parties at its first meeting. Paragraph 9 of Article 13 invites all Parties and others to provide financial resources to the Programme, on a voluntary basis.

**SUGGESTED APPROACH FOR RESPONSE:**

☐ If the Party has contributed to the Mechanism, it would indicate “yes”, and specify:
  - the nature of the contribution for the years respective reporting years,
  - the amount (in USD) for the GEF and for the Specific International Programme.

☐ If the Party has not contributed to the Mechanism, it would indicate “no”, and provide information to explain the reasons it has not contributed.

☐ The Party may wish to provide additional comments in Part C: Comments regarding possible challenges in meeting the objectives of the Convention.

**Question 13.3:** Supplemental: Has the Party provided financial resources to assist developing-country Parties and/or Parties with economies in transition in the implementation of the Convention through other bilateral, regional and multilateral sources or channels? (para. 3.)

*Please tick one box only*

☐ Yes (please specify)
NOTES: Paragraph 5 of Article 13 established the Mechanism comprised of the Global Environment Facility Trust Fund and a specific international Programme to support capacity-building and technical assistance. Further, paragraph 3 of Article 13 also encourages multilateral, regional and bilateral sources of financial and technical assistance, as well as capacity-building and technology transfer, on an urgent basis, to enhance and increase their activities on mercury in support of developing country Parties in the implementation of this Convention relating to financial resources, technical assistance and technology transfer.

SUGGESTED APPROACH FOR RESPONSE:

☐ If the Party has provided financial resources to assist developing-country parties and/or parties with economies in transition in the implementation of the Convention through bilateral, regional and multilateral sources or channels other than the Mechanism established in paragraph 5 of Article 13, the Party would indicate “yes”, and provide information such as:
  ▪ the sources or channels through which the resources were provided;
  ▪ whether the activity supported was national, sub-regional or regional;
  ▪ whether the recipient was a Party or an NGO;
  ▪ the total amount of this assistance per year (USD) for each of the reporting years; and if these were new or additional financial resources.

☐ If the Party has not provided financial resources to assist developing-country Parties and/or Parties with economies in transition in the implementation of the Convention through bilateral, regional and multilateral sources or channels other than the Mechanism established in paragraph 5 of Article 13, the Party would indicate “no” and provide information to explain the reasons it has not provided resources.

☐ The Party may wish to provide additional comments in Part C: Comments regarding possible challenges in meeting the objectives of the Convention.

Article 14: Capacity-building, technical assistance and technology transfer

Question 14.1: Has the Party cooperated to provide capacity-building or technical assistance, pursuant to article 14, to another Party to the Convention? (para. 1.)

☐ Yes (please specify)

☐ No (please specify)

NOTES: Paragraph 1 of Article 14 requires Parties to cooperate to provide, within their respective capabilities, timely and appropriate capacity-building and technical assistance to developing country Parties, in particular Parties that are least developed countries or small island developing States, and Parties with economies in transition, to assist them in implementing their obligations under this Convention.

SUGGESTED APPROACH FOR RESPONSE:

☐ If the Party has provided capacity-building or technical assistance to another Party, the Party would indicate “yes”; and provide specifics such as:
  ▪ the year the capacity-building or technical assistance was given for each of the reporting years,
  ▪ name of the Party receiving the assistance;
  ▪ type of capacity-building or technical assistance;
  ▪ total value of this capacity-building or technical assistance in USD, including in-kind contribution.
If the Party has not provided capacity-building or technical assistance to another Party, it would indicate “no”, and provide information to explain the reasons it has not.

Question 14.2: Supplemental: Has the Party received capacity-building or technical assistance pursuant to article 14? (para. 1.)

- Yes (please specify)
- No (please specify)

Please provide comments, if any.

SUGGESTED APPROACH FOR RESPONSE:

- If the Party has received capacity-building or technical assistance from another Party, the Party would indicate “yes” and provide specifics such as:
  - the year the capacity-building or technical assistance was received for each of the reporting years,
  - name of the Party, regional centre or inter-governmental organisation providing the capacity-building or technical assistance;
  - type of capacity-building or technical assistance;
  - total value of this capacity-building or technical assistance in USD, including in-kind contribution.

- If the Party has not received capacity-building or technical assistance from another Party, the Party would indicate “no”, and include information to clarify its situation, including whether or not it has sought capacity-building or technical assistance from another Party.

- The Party may wish to provide additional comments in Part C: Comments regarding possible challenges in meeting the objectives of the Convention.

Question 14.3: Has the Party promoted and facilitated the development, transfer and diffusion of and access to, up-to-date environmentally sound alternative technologies? (Para. 3.)

- Yes (please specify)
- No (please specify why not)
- Other (please provide information)

NOTES: Paragraph 3 of Article 14 requires developed country Parties and other Parties within their capabilities to promote and facilitate, supported by the private sector and other relevant stakeholders as appropriate, development, transfer and diffusion of, and access to, up-to-date environmentally sound alternative technologies to developing country Parties, in particular the least developed countries and small island developing States, and Parties with economies in transition, to strengthen their capacity to effectively implement this Convention.

SUGGESTED APPROACH FOR RESPONSE:

- If the Party has promoted and facilitated the development, transfer and diffusion of and access to, up-to-date environmentally sound alternative technologies, the Party would indicate “yes”, and provide information such as:
  - the technology, including, if information is available online where it can be accessed, and if relevant information is not available online, the Party may wish to attach available information
  - the year of transfer or diffusion, and
  - the channel of transfer and diffusion, e.g. through the Secretariat, direct to another Party, through other bilateral, regional and multilateral sources or channels such as the Basel/Stockholm Regional Centres, the UNEP Global Mercury Partnerships, an inter-governmental organisation such as UNEP, UNDP, UNIDO, UNITAR, or private-sector to private sector.
If the Party has not promoted and facilitated the development, transfer and diffusion of and access to, up-to-date environmentally sound alternative technologies, the Party would indicate “no”, and provide information to explain the reasons it has not.

If the Party has developed a plan for the development, transfer and diffusion of and access to, up-to-date environmentally sound alternative technologies but has not yet implemented the plan, the Party would indicate “other”, and provide information its plan, and when it anticipates implementing it.

**Article 16: Health aspects**

**Question 16.1:** Have measures been taken to provide information to the public on exposure to mercury in accordance with paragraph 1 of Article 16?

- Yes
- No

Supplemental: If yes, describe the measures that have been taken.

**NOTES:** Paragraph 1 of Article 16 encourages Parties, to:

1. Promote the development and implementation of strategies and programmes to identify and protect populations at risk, particularly vulnerable populations, and which may include adopting science-based health guidelines relating to the exposure to mercury and mercury compounds, setting targets for mercury exposure reduction, where appropriate, and public education, with the participation of public health and other involved sectors;
2. Promote the development and implementation of science-based educational and preventive programmes on occupational exposure to mercury and mercury compounds;
3. Promote appropriate health-care services for prevention, treatment and care for populations affected by the exposure to mercury or mercury compounds; and
4. Establish and strengthen, as appropriate, 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.

**SUGGESTED APPROACH FOR RESPONSE:**

- If the Party has taken measures to promote and facilitate access to information, increase awareness and provide education related to exposure to mercury as described in paragraph 1 of Article 16, the Party would indicate “yes”, and may wish to describe:
  - the measures it has taken,
  - the date(s) the measures were undertaken; and
  - the outcome of the measures taken.

- If the Party has not undertaken such measures, the Party would indicate “no”, and may wish to provide comment in Part C: Comments regarding possible challenges in meeting the objectives of the Convention.

**Question 16.2:** Have any other measures been taken to protect human health in accordance with Article 16? (para. 1.)

- Yes
- No

Supplemental: If yes, describe the measures that have been taken.
NOTES: Paragraph 1 of Article 16 encourages Parties to establish and strengthen, as appropriate, 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.

Further, a Party that has notified the Secretariat that it has artisanal and small-scale gold mining that is more than insignificant is required to develop a National Action Plan in accordance with Annex C of the Convention. Paragraphs 1(h) and 1(i) require the development of health strategies for miners and their communities, and other vulnerable populations.

SUGGESTED APPROACH FOR RESPONSE:

☐ If the Party has taken measures additional to those reported under Question 11.1, the Party would indicate “yes”, and may wish to describe:
  - the measures it has taken,
  - the date(s) the measures were undertaken; and
  - the outcome of the measures taken.

☐ If the Party has not taken measures additional to those reported under Question 11.1, the Party would indicate “no”, and may wish to provide comment in Part C: Comments regarding possible challenges in meeting the objectives of the Convention.

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Article 17: Information exchange

Question 17.1: Has the Party facilitated the exchange of information referred to in Article 17, paragraph 1? (para. 1.)

☐ Yes

☐ No

Please provide more information, if any.

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NOTES: Paragraph 1 of Article 17 requires each Party to facilitate the exchange of:

a) scientific, technical, economic and legal information concerning mercury and mercury compounds, including toxicological, ecotoxicological and safety information;

b) information on the reduction or elimination of the production, use, trade, emissions and releases of mercury and mercury compounds;

c) information on technically and economically viable alternatives to:
   i. mercury-added products;
   ii. manufacturing processes in which mercury or mercury compounds are used; and
   iii. activities and processes that emit or release mercury or mercury compounds;
   including information on the health and environmental risks and economic and social costs and benefits of such alternatives; and

d) epidemiological information concerning health impacts associated with exposure to mercury and mercury compounds, in close cooperation with the World Health Organization and other relevant organizations, as appropriate.

SUGGESTED APPROACH FOR RESPONSE:

☐ If the Party has facilitated the exchange of information referred to in paragraph 1 of Article 17, the Party would indicate “yes” and, ideally, provide relevant information, including for example information on relevant online sources of information identified by name, URL, language(s) with a brief description of the information contained if available.

☐ If the Party has not facilitated the exchange of information referred to in paragraph 1 of Article 17, the Party would indicate “no”, and may wish to provide comment in Part C: Comments regarding possible challenges in meeting the objectives of the Convention.
### Article 18: Public information, awareness and education

**Question 18.1:** Have measures been taken to promote and facilitate the provision to the public of the kinds of information listed in article 18, paragraph 1? (para. 1.)

- [ ] Yes
- [ ] No

If yes, please indicate the measures that have been taken and the effectiveness of those measures?

### NOTES:
Paragraph 1 of Article 18 requires each Party, within its capabilities, to promote and facilitate:

(a) Provision to the public of available information on:
   1. the health and environmental effects of mercury and mercury compounds;
   2. alternatives to mercury and mercury compounds;
   3. the topics identified in paragraph 1 of Article 17;
   4. the results of its research, development and monitoring activities under Article 19; and
   5. activities to meet its obligations under this Convention;

(b) Education, training and public awareness related to the effects of exposure to mercury and mercury compounds on human health and the environment in collaboration with relevant intergovernmental and non-governmental organizations and vulnerable populations, as appropriate.

Actions that a Party might take in implementing this obligation may include, but are not be limited to:

- the establishment of national government and stakeholder consultation mechanisms
- engagement with the public, NGOs and other stakeholders in developing strategies and plans for managing mercury and mercury compounds
- development of pollutant release and transfer registers
- development and exchange of educational and public awareness materials at the national and international level
- development and implementation of education and training programmes at the national and international level
- measures promoted under Article 16.
- making publicly available the inventories developed under Articles 8 and 9.

### SUGGESTED APPROACH FOR RESPONSE:

- If the Party has taken measures to promote and facilitate the provision to the public of the kinds of information listed in paragraph 1 of Article 18, the Party would indicate “yes”, and indicate:
  - on which issues has it taken measures to make information publicly available;
  - the date(s) the measures were undertaken; and
  - the effectiveness of the measures taken.

- If the Party has not taken measures to promote and facilitate the provision to the public of the kinds of information listed in paragraph 1 of Article 18, the Party would indicate “no”, and may wish to provide comment in Part C: Comments regarding possible challenges in meeting the objectives of the Convention.

### Article 19: Research, development and monitoring

**Question 19.1:** Has the Party undertaken any research, development and monitoring in accordance with paragraph 1 of article 19? (para. 1.)

- [ ] Yes
- [ ] No

If yes, please describe these actions.
NOTES: Paragraph 1 of Article 19 requires Parties to endeavour to cooperate to develop and improve key areas of research that can support effective implementation of the Convention.

The key areas listed in paragraph 1 are:

(a) Inventories of use, consumption, and anthropogenic emissions to air and releases to water and land of mercury and mercury compounds;
(b) Modelling and geographically representative monitoring of levels of mercury and mercury compounds in vulnerable populations and in environmental media, including biotic media such as fish, marine mammals, sea turtles and birds, as well as collaboration in the collection and exchange of relevant and appropriate samples;
(c) Assessments of the impact of mercury and mercury compounds on human health and the environment, in addition to social, economic and cultural impacts, particularly in respect of vulnerable populations;
(d) Harmonized methodologies for the activities undertaken under subparagraphs (a), (b) and (c);
(e) Information on the environmental cycle, transport (including long-range transport and deposition), transformation and fate of mercury and mercury compounds in a range of ecosystems, taking appropriate account of the distinction between anthropogenic and natural emissions and releases of mercury and of remobilization of mercury from historic deposition;
(f) Information on commerce and trade in mercury and mercury compounds and mercury-added products; and
(g) Information and research on the technical and economic availability of mercury-free products and processes and on best available techniques and best environmental practices to reduce and monitor emissions and releases of mercury and mercury compounds.

SUGGESTED APPROACH FOR RESPONSE:

If the Party has undertaken any research, development, and monitoring and cooperation activities in relation to the areas listed in paragraph 1 of Article 19, the Party would indicate “yes”, and in relation to each of the areas on which it has undertaken such activities, provide information to describe the actions, including:

- the year(s) when these activities were undertaken,
- whether the activities were taken in cooperation with another Party,
- reference to any published material or reports resulting from the activities, if information is available online, where it can be accessed, or if relevant information is not available online, the Party may wish to attach any published information.

If the Party has not undertaken any research, development, and monitoring and cooperation activities in relation to the subjects listed in paragraph 1 of Article 19, the Party would indicate “no” and may wish to provide comment in Part C: Comments regarding possible challenges in meeting the objectives of the Convention.

Part C: Comments regarding possible challenges in meeting the objectives of the Convention

Part C allows Parties the opportunity to comment regarding possible challenges it faces in meeting the obligations and objectives of the Convention.

SUGGESTED APPROACH FOR RESPONSE:

The Party may wish to include in this free text section any general information on possible challenges, as well as further explanations or clarifications in relation to any of the questions in Part B.

Further, if the Party has information that is relevant that could assist other Parties and the Secretariat understand the challenges to the Party’s implementation of the Convention and opportunities for improvement, it would include that information in this section.
Part D allows Parties the opportunity to comment on the reporting format and any possible improvements, if any, and if Parties so wish.

**SUGGESTED APPROACH FOR RESPONSE:**

☐ The Party may wish to comment on the content or structure of the reporting format, or share suggestions on ways to improve the format, or share reflections on the use of the electronic reporting tool, or any other aspect related to the reporting format.

Part E allows Parties the opportunity to comment on each of the Articles in free text, if the Party chooses to do so.

**SUGGESTED APPROACH FOR RESPONSE:**

☐ The Party may wish to elaborate on any of its responses in Part B as it relates to the Articles, or has additional information that is relevant, to be included in the fulfilment of submitting a complete and coherent national report.