



# Book - Unit 2 - Operational articles of the Minamata Convention

Book - Unit 2 - Major Components of the Minamata Convention on Mercury

Site: UNITED NATIONS INFORMATION PORTAL ON MULTILATERAL ENVIRONMENTAL AGREEMENTS

Course: Introductory Course to the Minamata Convention on Mercury

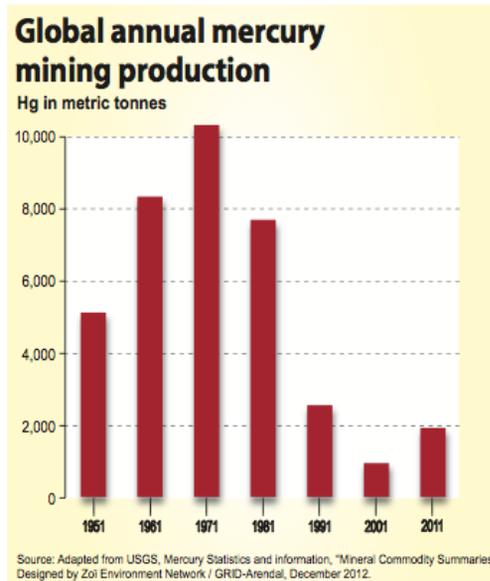
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# 1. Primary Mercury Mining (Article 3.4)

The Minamata Convention bans new primary mercury mining once the Convention enters into force and establishes that parties must cease primary mercury mining activities no more than fifteen years after the Convention enters into force for it (Article 3.4)



## 2. Mercury supply sources and trade (Article 3)

Article 3 establishes an informed consent procedure for the exportation of mercury. Exporting parties must receive consent from the importing country and may only export mercury for a use allowed under the Convention or environmentally sound interim storage.

Furthermore, this trade procedure has special requirements for Parties who engage in trade in mercury with Non-Parties:

- Parties wishing to export mercury to Non-Parties must obtain consent in writing and demonstrate that measures to protect human health and the environment, including sound storage, are put into place. Import is also allowed only for a use allowed under the Convention or environmentally sound interim storage.
- Parties wishing to import mercury from a Non-Party shall obtain a certificate stating that the mercury does not come from banned-sources under the Convention.

Importing Parties and non-Parties may submit a general notification to the Secretariat setting out the terms and conditions of its consents. The Secretariat will maintain a public registry of notifications and decision taken by the Parties.

### 3. Mercury-added products (Article 4)

Part I of Annex A schedules the phase-out by 2020 of several mercury-added products. The list includes, with certain exemptions, batteries, switches and relays, fluorescent lamps, cosmetic products, pesticides, biocides, topical antiseptics and non-electronic measuring devices. Part II of Annex A covers measures to phase down the use of dental amalgam.

Parties may register for one or more exemptions from the phase-out dates listed in Annex A. An review of Annex A is required of the Conference of Parties no later than five years after the date of entry into force of the Convention, to possibly include other products suggested by the Parties and alternatives to mercury-added products.

The manufacture and the distribution in commerce of mercury-added products not covered by any known use prior to the date of entry into force of the Convention is discouraged, unless there is an environmental or human health benefits.

## 4. Manufacturing processes using mercury or mercury compounds (Article 5)

Manufacturing processes where mercury or mercury compounds are used and considered under the Minamata Convention are addressed by Annex B of the Convention. Annex B Part I provides for the phase out of chlor-alkali production by 2025 and the use of mercury or mercury compounds as catalysts to produce acetaldehyde by 2018, while Annex B Part II requires measures to facilitate the phase down of mercury in the production of vinyl chloride monomer, polyurethane using mercury containing catalysts, and sodium or potassium methylate or ethylate.

Article 5 of the Convention bans the use of mercury or mercury compounds in processes listed in Part I of Annex B after the phase out date and requests Parties to take measures to restrict the use of mercury or mercury compounds in processes listed in Annex B Part II. No new facilities using processes listed in Annex B should be built after the entry into force of the Convention.

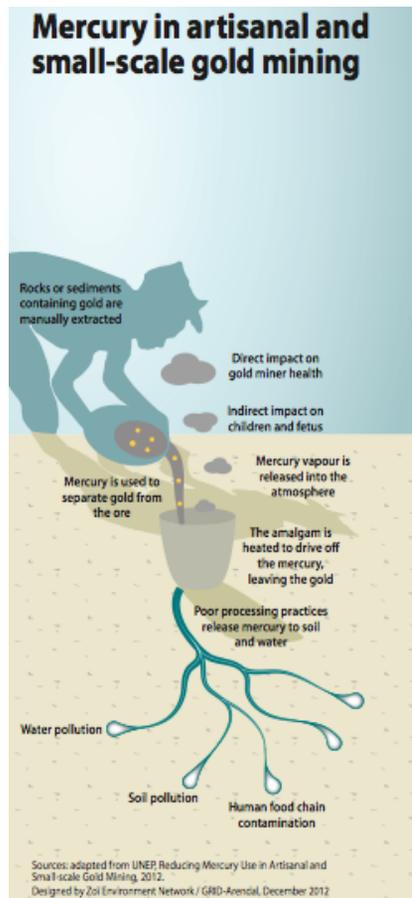
Article 5 also discourages the development of new processes using mercury that did not exist prior to the date of entry into force of the Convention.

Under certain conditions, Parties may register for one or more exemptions from the phase-out dates listed in Annex B. An amendment procedure to Annex B is envisaged to possibly include additional processes proposed by the Parties and alternatives to manufacturing process using mercury, no later than five years after the date of entry into force of the Convention.

## 5. Artisanal and small-scale gold mining (Article 7)

Parties with artisanal and small-scale gold mining (ASGM) and processing in which mercury amalgamation is used shall take steps to reduce and, where feasible eliminate, the use of mercury and mercury compounds.

Parties that determine that artisanal and small-scale gold mining (ASGM) in their territories is more than insignificant must notify the Secretariat and develop and implement a National Action Plan in accordance with Annex C. The National Action Plan aims at eliminating high polluting practices, undertaking measures to reduce and, where feasible, eliminating the use of mercury by using mercury-free alternatives.



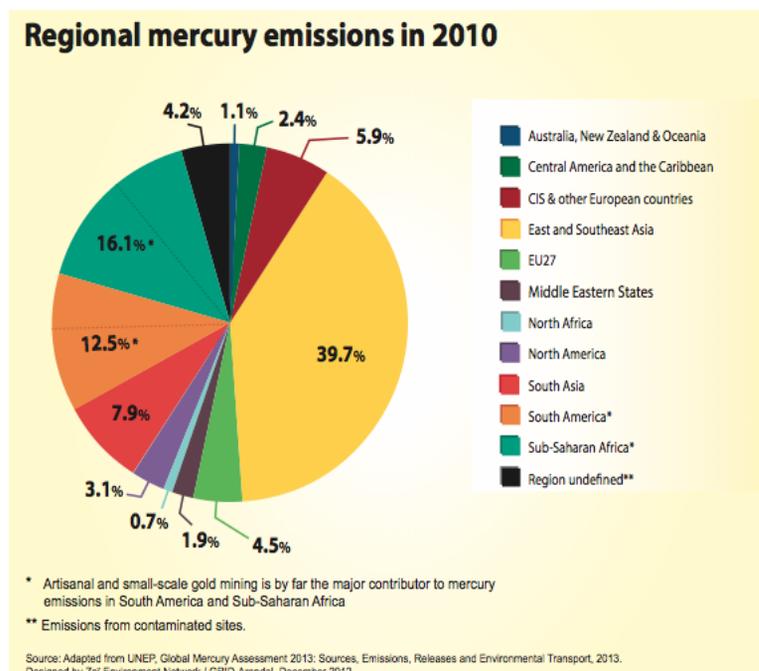
## 6. Emissions (Article 8) and releases (Article 9)

The Minamata Convention establishes a set of measures to control emissions of mercury and mercury compounds to the atmosphere ([Article 8](#)) from relevant sources listed in Annex D and releases to land and water (Article 9).

Parties shall establish an inventory of emissions and releases from relevant sources within 5 years. Parties shall also take measures to control emissions and releases and report on this. Voluntary national plans setting out the measures to be taken to control emissions and releases and its expected targets, goal and outcomes may be prepared.

The first Conference of the Parties (COP-1) will adopt guidance to support Parties in implementing emission control measures, determining goals, setting emission limit values, and identifying best available techniques and best environmental practices (BAT/BEP). For the period until the Convention enters into force, a group of technical experts called for in Article 8 has been established to draft the respective guidelines and submit them to COP-1.

Subsequent COPs will provide further guidance on the criteria to identify emission sources, the preparation of emission and release inventories, and the identification of best available techniques and best environmental practices.



## 7. Environmentally sound interim storage of mercury (Article 10), mercury wastes (Article 11) and contaminated sites (Article 12)

### a. Environmentally sound interim storage of mercury other than waste mercury (Article 10)

Measures shall be taken by Parties to ensure that the interim storage of mercury and mercury compounds intended for a use allowed to a Party under the Convention is undertaken in an environmentally sound manner.

### b. Mercury wastes (Article 11)

Mercury wastes means substances or objects:

- (i) Consisting of mercury or mercury compounds;
- (ii) Containing mercury or mercury compounds; or
- (iii) Contaminated with mercury or mercury compounds,

an a quantity above the relevant thresholds that will be defined by the COP (...) 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 relevant definitions of the Basel Convention applies to waste covered under the Minamata Convention for Parties to the Basel Convention. Non-Parties to the Basel Convention shall use those definitions as guidance as applied to wastes covered under the Minamata Convention.

Parties should ensure environmentally sound management of mercury wastes, taking into account the guidelines developed under the Basel Convention and in accordance with requirements that the COP adopts.

Recovery, recycling, reclamation or direct re-use of mercury wastes is possible only for a use allowed under the Convention or for environmentally sound disposal.

### c. Contaminated sites (Article 12)

Parties shall endeavour to develop appropriate strategies to identify and assess contaminated sites. Actions to reduce risks should be performed in an environmentally sound manner.

The Conference of the Parties (COP) shall adopt guidelines and specific requirements for environmentally sound interim storage of mercury and mercury compounds, and management of mercury wastes and contaminated sites.