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Implementation and Compliance Committee
Minamata Convention on Mercury
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Geneva, 18–20 February 2025
Item 4 of the provisional agenda*
National reporting pursuant to Article 21

Report on national reporting pursuant to Article 21[1]

I. Introduction

1. Pursuant to Article 21 of the Convention, each Party shall report to the Conference of the Parties on the measures it has taken to implement the provisions of the Convention, and on the effectiveness of such measures and on possible challenges in meeting the objectives of the Convention.

2. Pursuant to Article 15 of the Convention, the Committee shall aim to promote the implementation of, and review compliance with, all the provisions of the Convention, in a facilitative manner and paying particular attention to the respective national capabilities and circumstances of Parties. The Committee shall examine both individual and systemic issues of implementation and compliance and make recommendations, as appropriate, to the Conference of the Parties. National reports in accordance with Article 21 are one of the sources of information based on which the Committee may consider such issues. Parts III, IV and V of the Committee's Terms of Reference[2] list relevant functions, types of recommendations as well as additional information, expertise or consultations that the Committee can draw on.

3. The Committee may wish to consider the second short national reports, which were to be submitted by Parties by 31 December 2023, for the reporting period from 1 January 2021 until 31 December 2022. Pursuant to paragraph 25 (b) of the Terms of Reference of the Committee, the Secretariat completed a review of the submitted national reports – set out in document UNEP/MC/ICC.7/5 - and prepared the present report, which summarise the Parties' responses to the four recurrent questions on measures taken to implement Articles 3.3, 3.5, 3.6 and 11.2 of the Convention and on their effectiveness in meeting the objective of the Convention for the second short reporting period. The review entailed checking and following-up on the completeness and clarity of the responses contained in the reports. Submitted national reports that are deemed complete by the Party and the Secretariat are available on the Convention's website, as per paragraph 14 of the Terms of Reference of the Committee.

4. With respect to the consideration of issues on the basis of national reports and in accordance with paragraph 21 (a) of its terms of reference, the Committee may draw on the reports, decisions and recommendations of the Conference of the Parties, as well as reports and recommendations of subsidiary bodies of the Convention. It is worth noting that the fifth meeting of the Conference of the Parties adopted a number of decisions containing recommendations issued by the previous meeting of the Committee held in March 2023. Decisions MC-5/2 on mercury supply sources and trade and MC-

* UNEP/MC/ICC.7/1.

[1] This document has not been formally edited.

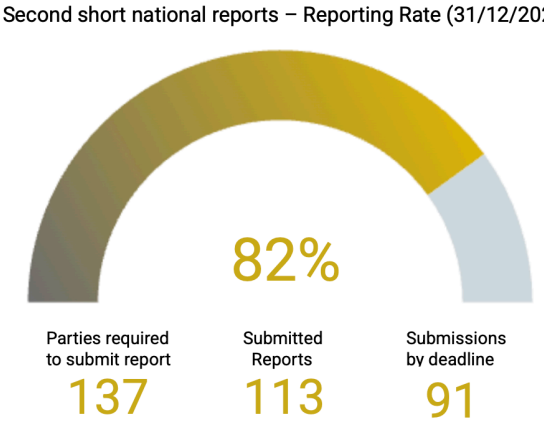
[2] The Terms of reference of the Committee are available on the Convention's website.

5/13 on national reporting are particularly relevant to the four questions of the second short national reports.

5. The purpose of this report is to inform the Committee about Parties' reporting performance (see section II below) and to identify particular issues that emerged from the second short national reports which may be of interest to the Committee, in accordance with paragraph 25 (b) of the Committee's terms of reference (see section III below). This report has been informed by the Secretariat's detailed review of the responses submitted by Parties to the four recurrent questions, as well as responses to part C of the reporting format. This report is further supplemented by three information documents, namely UNEP/MC/ICC/7/5, which provides an the overview of the results of the second short national reports and findings of the Secretariat; UNEP/MC/ICC.7/INF/1 providing an update on the status of submissions by Parties on ratifications, notifications, national reports, Minamata Convention initial assessments, national action plans, and national implementation plans, and by UNEP/MC/ICC.7/INF/2 setting out the responses received for the second short national reports in summary tabular form. These documents were updated to reflect information from national reports submitted by Parties since the sixth meeting of the Committee.

6. The Secretariat also collected new information in response to particular requests issued by the Committee at previous meetings. This information is contained in: (i) document UNEP/MC/ICC/7/INF/3 on best practices, possible approaches and initiatives from other multilateral environmental agreements regarding the functioning of their trade procedure, which was prepared by the Secretariat in response to a Committee's request at its sixth meeting; and (ii) document UNEP/MC/ICC/7/INF/4, which provides an overview of the status and results related to matters under review by the Committee and other relevant tasks requested by the Committee at its fifth meeting.[3]

II. Reporting performance of Parties for the second short national reports

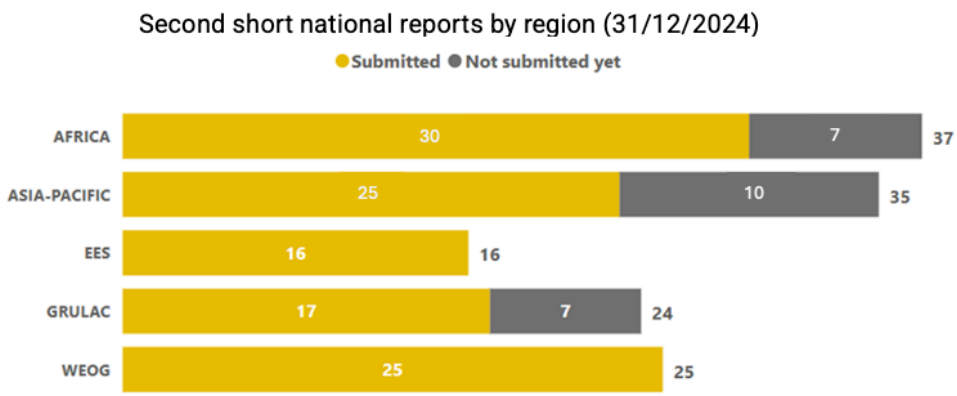


7. Regarding the reporting performance of Parties: of the 137 Parties to the Convention during the second short reporting period ending 31 December 2022, 91[4] Parties submitted their reports by the deadline, while an additional 22 Parties submitted their reports by 31 December 2024. Therefore, as of 31 December 2024, 113 Parties (82%, 113 of 137) Parties have submitted their second reports to the Secretariat, in compliance with Article 21 of the Convention.

[3] The report of fifth meeting of the Committee is available at https://minamataconvention.org/en/documents/report-fifth-meeting-implementation-and-compliance-committee-minamata-convention-mercury

[4] One national report (Congo) was submitted as a Word document attachment in an email and was inadvertently not counted in the version of the Secretariat's report submitted at the sixth meeting of the Committee. The report is now included in computing the reporting performance in the current version of the report to the Committee. Note, however, that the data from the responses in the national reports submitted offline or by email to the Secretariat are not included in the reporting analysis in document UNEP/MC/ICC.7/5, as the Online Reporting Tool is now fully automated.

8. Parties that submitted their reports for the second short reporting period are: Afghanistan, Albania, Antigua and Barbuda, Argentina, Armenia, Australia, Austria, Bahrain, Belgium, Benin, Bolivia (Plurinational State of), Botswana, Brazil, Bulgaria, Burkina Faso, Burundi, Cambodia, Cameroon, Canada, Chad, China, Colombia, Congo, Comoros, Costa Rica, Côte d'Ivoire, Croatia, Cyprus, Czechia, Denmark, Dominican Republic, Ecuador, El Salvador, Equatorial Guinea, Estonia, Eswatini (Kingdom of), European Union, Finland, France, Gabon, Germany, Ghana, Greece, Guinea, Guinea-Bissau, Guyana, Honduras, Hungary, Iceland, India, Indonesia, Iran (Islamic Republic of), Iraq, Ireland, Italy, Japan, Kuwait, Latvia, Lesotho, Liechtenstein, Lithuania, Luxembourg, Madagascar, Mali, Malta, Marshall Islands, Mauritius, Mexico, Monaco, Mongolia, Montenegro, Namibia, Netherlands, Nicaragua, Niger, Nigeria, North Macedonia, Norway, Oman, Palau, Panama, Peru, Philippines, Poland, Portugal, Qatar, Republic of Korea, Republic of Moldova, Romania, Rwanda, Saint Lucia, Saudi Arabia, Senegal, Sierra Leone, Singapore, Slovakia, Slovenia, South Africa, Spain, Sri Lanka, State of Palestine, Sweden, Switzerland, Thailand, Togo, Uganda, United Arab Emirates, United Kingdom of Great Britain and Northern Ireland, United Republic of Tanzania, United States of America, Uruguay, Viet Nam, and Zambia.



9. The reporting rates by region were as follows: 30 Parties from Africa (81%, 30 of 37), 25 Parties from the Asia Pacific (71%, 25 of 35), 16 Parties from Eastern European States (100%, 16 of 16), 17 Parties from Latin America and the Caribbean (71%, 17 of 24), and 25 Parties from Western Europe and Others (100%, 25 of 25).

10. Twenty-three of the submitted reports were incomplete (Armenia, Bulgaria, Comoros, Czechia, Eswatini (Kingdom of), Ghana, Guyana, Iraq, Lithuania, Malta, Marshall Islands, Mexico, Mongolia, Namibia, Norway, Republic of Moldova, Rwanda, Senegal, State of Palestine, Togo, United Arab Emirates, United Kingdom of Great Britain, and Viet Nam). Eleven (50% ,11 of 22) Parties with incomplete reports have responded to the Secretariat's follow-up and provided the missing information to their reports as of 31 December 2024 (Armenia, Bulgaria, Comoros, Guyana, Lithuania, Malta, Marshall Islands, Namibia, Senegal, United Kingdom, and Viet Nam). Twelve reports remain incomplete, as of 31 December 2024, and awaiting feedback from the respective National Focal Points.

11. Twenty-four Parties have not yet submitted their reports to the Secretariat as of 31 December 2024 (Bahamas, Central African Republic, Chile, Cuba, Djibouti, Gambia, Jamaica[5], Jordan, Kiribati, Lao People's Democratic Republic, Lebanon, Mauritania, Pakistan, Paraguay, Saint Kitts and Nevis[6], Samoa, Sao Tome and Principe, Seychelles, Suriname, Syrian Arab Republic, Tonga, Tuvalu, Vanuatu, and Zimbabwe[7]).

12. Regarding the process of reporting: On 5 April 2023 the National Focal Points were provided the personalised log-in credentials to the Online Reporting Tool (ORT). A total of 111 Parties (98%, 111 of 113) utilised the ORT while two Parties submitted the offline paper version by email (Congo and South Africa).

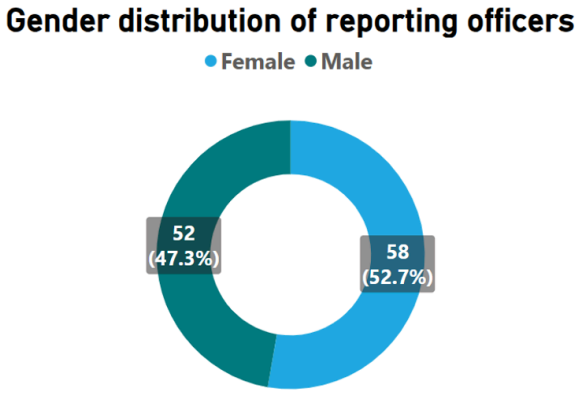
[5] Jamaica submitted its second short national report on 15 January 2025.

[6] Saint Kitts and Nevis submitted its second short national report on 20 January 2025.

[7] The Secretariat received a submission by email which purports to be from Zimbabwe. The submission, however, was not made by the designated National Focal Point nor duly appointed contact officer. As the submission was not made by the National Focal Point, the report has not been included in the analysis for this report. The Secretariat is still awaiting to hear from the National Focal Point of Zimbabwe to confirm the submission.

13. To support Parties in the preparation of information for the second short national reports, during 2023 the Secretariat provided two online sessions and web-training. The Secretariat also engaged in dedicated and regular follow-up with Parties in the run-up to and after the deadline.

14. In accordance with the gender action plan for the Minamata Convention[8], the Secretariat developed a gender-disaggregated statistic on the participation of reporting officers as an indicator towards the achievement of the goal of promoting meaningful, inclusive and gender-balanced participation in Convention's processes and activities (Secretariat's goal 4). The gender distribution of reporting officers, i.e., National Focal Points and Contact Officers, for the current reporting period is as follows: 59 female reporting officers (52.21%, 59 of 113) and 54 male reporting officers (47.78%, 54 of 113).



15. Since the last meeting of the Committee, wherein they invited Parties to submit their second short national report, two Parties (Afghanistan and Iraq) submitted their reports by 31 December 2024. The Committee may wish to encourage Parties who have not yet submitted their second short national reports to do so by 31 May 2025.

III. Issues for consideration by the Committee based on the second short national reports submitted by Parties in accordance with Article 21

16. The Secretariat identified the following issues for consideration by the Committee at this seventh meeting based on its review of the second short national reports contained in document UNEP/MC/ICC.7/5. In this section of the report, issues are organized according to the four questions on control measures under Articles 3.3, 3.5, 3.6 and 11.2., as well as Part C, of the short reporting format.

Article 3.3: primary mercury mining (question 3.1 of the reporting format)

17. With respect to questions 3.1 on the existence of primary mercury mining during the reporting period of the second short national reports, one Party reported the presence of illegal primary mercury mining in its territory. The Party reported that the "government has never issued a primary mercury (cinnabar) mining license so far, so that primary mercury mining is illegal in [the Party]." The Party responded "yes" to the question of whether it had any primary mercury mines that were operating within its territory at the date of entry into force of the Convention. The Secretariat notes with appreciation the information provided by the Party in accordance with paragraph 1 of decision MC-5/2, which recalled that paragraphs 3 and 4 of Article 3 requires Parties to control primary mercury mining and encouraged Parties to report on all primary mercury mining activities being carried out in their territories, irrespective of their status as formal, informal or illegal, in their next national reports.

18. The same Party had described the issue of illegal primary mercury mining also in its full national report (2021) and its previous short national report (2019). It also did so in its response to the Secretariat's inquiry, pursuant to the Committee's request for further clarification on the issue of informal primary mercury mining at its fourth meeting in 2022. The Party had raised the challenge

[8] The gender action plan for the Minamata Convention on Mercury is available at: UNEP/MC/COP.5/INF/10*.

that since the primary mercury mining is illegal, "it is difficult for the government to know exactly how much primary mercury mining is in [the Party's] territory".[9]

19. Another Party responded "Yes" to question 3.1 but the reported data is unclear on the quantity reported and whether the report covered both formal and informal primary mercury mining production. The same Party had mentioned in its full report (2021) the persistence of mercury production through its environmental monitoring efforts that may be additional to its known closed mines. The Secretariat has followed up and is awaiting a response from the Party (see paragraph 8 (b) of UNEP/MC/ICC.7/5).

20. Since Parties with important mercury deposits raised the presence of informal or illegal primary mining in their territories since the first reporting cycle, the Committee may wish to consider if there is a systemic issue of implementation or compliance of the obligation "not to allow primary mercury mining" under paragraph 3 of Article 3 when illegal or informal primary mercury mining is being conducted in a Party's territory without the proper government license, and any other aspect that it may see related to this information.

Article 3.5: stocks and sources (question 3.3 of the reporting format)

21. With respect to question 3.3 of the second short national reports, the responses to the question provided a good overview of the outcome of Parties' individual endeavours to identify stocks and sources of mercury. Compared to previous reporting cycles, there is also an improvement in the quality of the information shared by Parties in response to question 3.3, with clearer distinctions in the reports between identified stocks and sources, quantities of mercury identified and reported, and additional descriptions of the endeavours taken. However, while there is improvement in the description of the endeavours undertaken, the totality of information was still providing an incomplete status of the stocks and sources globally. Inconsistency in the information provided, variability of stocks at a given time, are some of the reasons that led to this observation. In this context it is worth noting that the amendments to the reporting format in decision MC-5/13, which will be operational in the upcoming second full reporting cycle can help improve consistency in the reporting. Further, the Conference of the Parties, in paragraph 5(a) of decision MC-5/2, requested the Secretariat, subject to the availability of resources, to update the existing guidance on stocks adopted in decision MC-1/2 to include types of action that could be taken to fulfil the continuing obligation to endeavour to identify stocks and sources as per paragraph 5 (a) of Article 3 of the Convention, defined in paragraph 3 of decision MC-4/8 as an ongoing effort, for consideration by the Conference of the Parties at its sixth meeting. The additional guidance can also improve reporting consistency under question 3.3.

22. It may also be noted that there are Parties who cited their MIAs in the second short report whose information may be outdated. Fifteen Parties cited their MIA, of the 15, ten Parties (Albania, Antigua and Barbuda, Cameroon, Mauritius, Montenegro, North Macedonia, Peru, Saint Lucia, South Africa, and Sri Lanka,) cited MIAs that were completed before 2023. Considering that the obligation to endeavour to identify stocks and sources of mercury has been clarified by decision MC-4/8 as a continuing obligation, Parties who solely rely on their MIA results may need to update the information. The Committee may wish to take note of this matter and reconsider this after the sixth meeting of the Conference of the Parties.

Article 3.6: mercury trade (question 3.5 of the reporting format)

23. With respect to question 3.5 on having received consent for all exports of mercury from the Party's territory, three Parties[10], out of the seven[11] who responded "yes" to the question, provided evidence showing that the trade requirements of Article 3 had been met by providing copies of the relevant trade forms. Two[12] Parties provided other information in the form of tables or general comments, which does not show that all requirements of Article 3 have been met, as indicated in

[9] The Party also has been enforcing its law not allowing the primary mercury mines and has confiscated 36.29 tonnes of cinnabar as reported in its second short report.

[10] One Party (Switzerland) submitted its trade forms in response the Committee's reminder to Parties after the sixth meeting of the Committee.

[11] One Party (United Kingdom) amended its response to "No, no export" after the Committee's meeting, in response to the Secretariat's request for clarification.

12 Two Parties who responded "Yes" to question 3.5 were not included in the tally for the following reasons: one Party (Canada) indicated that it relied on General Notification of Consent and the other Party (Italy) was not yet a party when its reported trade took place.

Table 5: Tabulation of Information Required under Forms A or B and Information Submitted of document UNEP/MC/ICC.7/5. It is therefore not possible to understand if the exports reported by the above-mentioned two Parties are in compliance with Article 3 of the Convention. The quality of information submitted by the Parties in their second short national reports has not improved from the previous reporting cycle where three Parties that had answered "yes" had submitted the consent forms they received.[13]

24. It is worth noting that, in decision MC-4/8, the Conference of the Parties called on Parties that have received consent to export mercury to Parties and/or non-Parties to provide to the Secretariat either copies of the consent forms used or other suitable information in their reports submitted pursuant to Article 21 of the Convention to show that the relevant requirements of Article 3 of the Convention have been met.

25. Of the 35 Parties who responded "No" to question 3.5, 17 Parties did not provide any explanation for their response. It is not possible to determine from the reports of these Parties if their response meant that there were no exports, or if there were trade not conforming to Article 3. Furthermore, four Parties provided information on trade not conforming to Article 3 as shown in paragraph 14 (c) of document UNEP/MC/ICC.7/5.

26. It is worth noting that the amended reporting format adopted by the Conference of Parties in its decision MC-5/13 added response options that cover two scenarios: "No – no export took place" and "No – consent was not given". These added response options are expected to further improve response and information sharing under question 3.5. The amended reporting format will be operational in the second full report version of the online reporting tool (ORT). Furthermore, paragraph 2 of decision 5/2 encourages Parties that did not receive consent for all exports of mercury from the party's territory to provide more information, if any, in their next national reports, including on measures taken to prevent exports which are not in compliance with the Convention.

27. As requested by the Committee at its sixth meeting in September 2024, the Secretariat collected information on best practices, possible approaches and initiatives from other multilateral environmental agreements regarding the functioning of their trade procedure (see document UNEP/MC/ICC.7/INF/3).

28. A total of 18 Parties either reported on illegal trade or trade not conforming to the Convention or raised it as a challenge in implementing the Convention in the past three reporting cycles. In the first short national report one Party (Canada) reported a case of trade of mercury in contravention of its laws in its response to question 3.5. Four Parties (Colombia, Ecuador, Indonesia, and Peru) cited illegal trade as a challenge to implementing the Convention in Part C of their reports (2019). One Party (Indonesia) cited its vulnerability to illegal activities as an archipelagic state, while another Party (Peru) provided a recommendation for optimizing the written consent procedure for the import of mercury, including the provision of information on transit countries, re-export points and the role of free-trade zones, and the establishment of a deadline for receipt of response from Parties concerned. The Party had also raised the need to improve identification of intended uses of traded mercury, strengthening of capacities of border control agents along with the development of protocols to identify, seize, transport, handle, and label mercury.

29. For the full national report (2021) an additional three Parties (Eswatini, South Africa, and Uganda) raised concerns over illegal trade which were not raised in the first reporting cycle. One Party (South Africa) noted that there were known informal flows of mercury in their region and illegal imports of mercury into their territory. Another Party (Eswatini) reported on illegal mercury trade in the context of illegal mining occurring at the border, which leads to the illegal cross-border trade of mercury it is experiencing. One Party (Uganda) acknowledged that smuggling of mercury into its borders is occurring.

30. For the second short national report, a total of ten Parties raised the issue of illicit trafficking, illegal trade or smuggling of mercury and mercury-added products in their respective territories either in their response to question 3.5 or in part C of their reports (Antigua and Barbuda, Burkina Faso, Colombia, Cote d'Ivoire, Indonesia, Lesotho, Nigeria, Peru, Philippines, and Uganda). For instance, one Party (Antigua and Barbuda) reported a specific case of export without consent, and another Party (Philippines) reported that e-commerce or online trading platform facilitate trade in mercury, as well as illegal trade of mercury for use in ASGM was being sold through dental clinics.

31. In this context it is worth noting that the Conference of the Parties invited Parties, in paragraph 4 of decision MC-5/2, to submit to the Secretariat information on experiences and challenges faced in

[13] See para.21 (d) of document UNEP/MC/COP.5/INF/20.

the implementation of Article 3 as well as information on activities undertaken in relation to the Bali Declaration on combating illegal trade in mercury by March 2025, and requested the Secretariat to compile the information received for consideration by the Conference of the Parties at its sixth meeting. In January 2025, Parties were invited to submit the above-mentioned. The information will be collected by the Secretariat and submitted for consideration to COP-6. As of 21 January 2025, one Party has provided information in response to paragraph 4 of decision MC-5/2.

32. Given the limited number of trade forms or suitable information received during the past three reporting cycles as well as reported concerns of trade not conforming to Article 3 requirements, the Committee may wish to consider if there is a systemic issue of implementation or compliance of the trade procedure described under paragraph 6 of Article and any other aspect that it may see related to this information.

Article 11: mercury wastes (question 11.2 of the reporting format)

33. With respect to question 11.2 on facilities for final disposal of waste consisting of mercury or mercury compounds, the Secretariat notes that there was an improvement in the information reported on the final disposal methodologies being employed since the previous reporting, after the clarification by the Conference of the Parities in decision MC-4/8 on the definition of final disposal. It is worth noting that the Conference of the Parties in decision MC-5/13 amended the reporting format to make it possible to report on facilities outside the Party's territory that are accessible to the Party in accordance with paragraph 5 of Article 11.

34. The Secretariat also notes that eighteen Parties[14] who reported on final disposal methods did not clarify specific elements of disposal methods for waste consisting of mercury or mercury compounds in the Basel Convention technical guidelines, including stabilization and solidification. The Secretariat further notes that some Parties did not provide information on the final disposal methods. The Secretariat reached out to the eighteen Parties to clarify their response. Seven Parties (Brazil, Colombia, Indonesia, Qatar, Singapore, and Viet Nam) provided additional information to clarify their responses. The Committee may wish to note that, despite the follow-up communication with the Secretariat, there is still uncertainty on the sound disposal of waste consisting of mercury or mercury compounds including stabilization and solidification and encourage Parties who have not provided sufficient information on their final disposal methods to do so in their upcoming second full national report.

Part C of the reporting format

35. With respect to Part C: opportunity to comment on possible challenges in meeting the objectives of the Convention, as shown in paragraph 19 (a) of UNEP/MC/ICC/7/5, the following were cited by the Parties: access to or lack of financial resources; lack of technical resources as a concern; trade of mercury, mercury-added products, including illicit trafficking, illegal trade or smuggling; legal limitations and/or lack of institutional capacity; domestic trade of mercury and use of electronic platforms, lack of awareness-raising and capacity to share information; lack of a final disposal facility within their territories, including lack of interim storage options; use of mercury in artisanal and small-scale gold mining as a continuing challenge; lack of human resources; lack of mercury-free alternatives and/or information about the availability of mercury-free alternatives for mercury-added products; management of contaminated sites; unable to contact the National Focal Point; weak regional approach such as the weak participation of sub-regional intergovernmental agencies lingering impacts of COVID-19 disrupting implementation; and unique challenges faced by a Party.

36. Following on the consideration of the four questions as described above as well as of Part C of the reporting format, the Committee may wish to request further information from Parties, through the Secretariat, and draw upon outside expertise, as it considers necessary and appropriate, in accordance with paragraph 21 (d) of its terms of reference.

[14] Brazil, China, Colombia, Ecuador, India, Indonesia, Kuwait, Panama, Qatar, Republic of Korea, Saudi Arabia, Singapore, South Africa, State of Palestine, Thailand, Uganda, United Arab Emirates, and Viet Nam.