

**MINAMATA
CONVENTION
ON MERCURY**

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**Conference of the Parties to the
Minamata Convention on Mercury
Sixth Meeting**
Geneva, 3–7 November 2025
Item 4 (a) of the provisional agenda*
**Matters for consideration or action by the Conference
of the Parties: mercury supply sources and trade**

**Information on experiences and challenges faced in the
implementation of article 3 as well as information on activities
undertaken in relation to the Bali Declaration on combating
illegal trade in mercury****

Note by the secretariat

1. The Conference of the Parties, in paragraph 4 of decision MC-5/2, invited parties to submit to the secretariat information on experiences and challenges faced in the implementation of article 3 as well as information on activities undertaken in relation to the Bali Declaration on combating illegal trade in mercury¹ by March 2025, and requested the secretariat to compile the information received for consideration by the Conference of the Parties at its sixth meeting.
2. Eight parties submitted information in response to the above-mentioned decision: Burkina Faso, Canada, Indonesia, Japan, Peru, the Philippines, Senegal and Togo. The secretariat made the submissions available on the Convention's website. A summary of the content of the submissions is provided in table annexed to the present note, which is presented without formal editing.

* UNEP/MC/COP.6/1.

** This document has not been formally edited.

¹ The Bali Declaration is available on the Convention's website.

Annex

Information shared by parties on experiences and challenges faced in the implementation of article 3 as well as information on activities undertaken in relation to the Bali Declaration on combating illegal trade in mercury

1. The information shared by parties on challenges and experiences faced in the implementation of article 3 as well as on activities undertaken in relation to the Bali Declaration was varied. Challenges mostly concerned the implementation of trade-related obligations under article 3. Only one party (Indonesia) provided information on illegal primary mining activities found in its territory as a potential source of mercury and challenge to the implementation of article 3. Two parties (Indonesia and Japan) jointly submitted information specifically on activities undertaken in relation to the Bali Declaration.
2. More detailed information on the challenges and experiences in the implementation of article 3 shared by parties is compiled in tables 1 and 2 below.

Table 1: Summary of the challenges faced in the implementation of article 3

Challenge	Party	Comments
Illegal, informal or unreported trade of mercury, illegal transit and re-export of mercury	Burkina Faso, Senegal, Indonesia, and Togo	Burkina Faso, Senegal, Indonesia, and Togo reported the existence of flows of mercury from the United Arab Emirates to Togo, then transiting to Burkina Faso and Senegal and the rest of west Africa. ² Indonesia reported difficulties in monitoring numerous entry points vulnerable to mercury smuggling where mercury is often transported in unconventional forms, such as plastic bottles carried by passengers, complicating detection efforts, particularly at smaller ports.
Illegal trade of mercury to be used in Artisanal and Small-scale Gold Mining (ASGM)	Burkina Faso, Senegal, Indonesia, and Togo	Burkina Faso provided information on informal, unregistered and clandestine trade of mercury for use in the ASGM sector. Burkina Faso, Senegal and Togo provided information on massive presence of mercury in gold mining sites, where gold buyers were reported to provide artisanal mining producers with illegally traded mercury.
Discrepancy in trade data	Indonesia	Indonesia reported that official trade statistics showed no recorded imports of elemental mercury into Indonesia in recent years. However, the Minamata Initial Assessment estimated significant mercury use in ASGM, revealing a stark gap between reported imports and actual usage. Indonesia further pointed out that this discrepancy highlighted the prevalence of unrecorded, illegal mercury trade.
Porosity of borders and customs limitations, such as lack of resources for control and inspection missions at artisanal sites, detection kits, storage infrastructure for seized chemicals (mercury).	Burkina Faso, Indonesia	Burkina Faso listed these challenges as reasons that do not favour the control of entry and trade of mercury in its territory. Indonesia reported that importers might intentionally omit mercury from declarations or misreport it, undermining the effectiveness of customs-based screening.
Illegal online trade of mercury	Philippines, Indonesia	Indonesia reported that the rise of online platforms had made controlling illegal mercury trade increasingly difficult, posing a significant challenge to enforcement

² Burkina Faso, Senegal and Togo provided information in response to paragraph 4 of decision MC-5/2 through a joint technical note on illegal mercury trade developed as part of their project “Strengthening the legal framework and institutional capacities of ECOWAS countries (Senegal, Togo and Burkina Faso) for the implementation of articles 3 and 4 of the Minamata Convention” funded by the Minamata Convention Specific International Programme. More information on the project is available on the Convention’s website.

		efforts. Indonesia further reported that ASGM miners had been found purchasing mercury through e-commerce platforms, despite regulations prohibiting the trade of hazardous substances like mercury, which apply equally to online and offline transactions. The Philippines reported as an emerging issue the online trading of regulated substance products and commodities as several mercury-added products were being sold online, where most of the sellers did not show their business identity nor required permit to distribute.
Illegal primary mining activities	Indonesia	Indonesia provided information on illegal primary mining activities found in its territory as a potential source of mercury. Government efforts were reported to control illegal cinnabar mining by the police with the objective of eliminating illegal cinnabar mining.

Table 2: Summary of the experiences faced in the implementation of article 3 as shared by parties

Experience	Party	Comments
Adoption of laws and regulations to control trade	Burkina Faso, Peru	Burkina Faso adopted Decree No. 2023 1337 of October 17, 2023, listing regulated chemical products or substances, including mercury and its derivatives listed in annexes A and B to the Convention. Peru adopted Supreme Decree N.º 059-2021-EF5 of April 2021 establishing provisions for the import and export of mercury in compliance with Article 3 of the Convention.
Project funded by the Specific International Programme (SIP) titled “Strengthening the legal framework and institutional capacities of ECOWAS countries (Senegal, Togo and Burkina Faso) for the implementation of Articles 3 and 4 of the Minamata Convention”. ³	Burkina Faso, Senegal and Togo	Burkina Faso reported that in 2024, thanks to the financial support of the SIP, Burkina Faso was able to train 43 agents composed of customs, police, water and forestry, trade, finance, focal points and community organizations on the identification of mercury, products likely to contain mercury and on the notification procedures governing imports/exports of elemental mercury and products containing mercury in Burkina Faso. The implementation of the project ended in July 2025.
GEF project titled “Reduction of unintentionally-produced persistent organic pollutants and mercury through an environmentally-sound approach on health care wastes management in the Philippines with a special focus on the pandemic” (Project ID 10798)	Philippines	Component 2 of this project relate to the management of mercury, mercury added products (MAPs) and mercury wastes in the healthcare sector according to the Minamata Convention on Mercury and the Philippine National Action Plan for MAPs phase-out. The objectives of this component are to upgrade the capacity of mercury waste service providers to be compliant with Best Available Techniques and Best Environmental Practices and to demonstrate environmentally sound management of MAPs and mercury stockpiles in the healthcare sector. The project is in the early stages of its implementation.
Under the E-commerce Division of the Department of Trade and Industry, an Inter-agency was formed. It developed and implemented a Joint Administrative Order (JAO) 2022-01 (Joint Administrative Order No. 22-01 DTI ECommerce).	Philippines	The objectives of the JAO are as follows: • To increase consumer confidence in e-commerce transactions. • To ensure that e-commerce platforms, e-retailers and e-merchants are properly guided about the rules, regulations in the conduct of their online business. • To ensure that online consumers are informed of their rights and the mechanisms for redress. The Bureau is coordinating with the National Bureau of Investigation to track down illegal sellers. The Bureau is also coordinating with local NGOs and is conducting

³ More information on the project is available on the Convention’s website.

		information and education campaign against toxic chemicals and products being sold online.
PlanetGOLD Burkina Faso project ⁴	Burkina Faso	Under the planetGOLD project, Burkina Faso reported that artisanal miners were trained on new mercury-free gold extraction technologies with a certificate. In total, around 116 people received this training. In this same dynamic of fighting against illicit trafficking and the use of mercury in the gold mining sector, Burkina Faso highlighted that, thanks to the planetGOLD project and the CARITAS consortium, Artisanal Gold Council and Solidar Suisse, mercury-free ore processing units were established respectively in Poura in the Boucle de Mouhoun region and Guido in the Centre-Ouest region.
Permitting through the Chemical Control Order (CCO) for Mercury and Mercury Compounds	Philippines	The Philippines reported that CCO Registration as a one-time registration for importers, distributors and users. Importers cannot be issued an importation clearance without registration. The Bureau of Customs has access to the Online System to be able to verify if the importers have valid permits. Moreover, stakeholders can verify online on the same system the permit(s) required for importation, distribution and use of mercury and mercury compounds.
Monitoring of mercury	Philippines	The Philippines reported that Regional Offices conduct monitoring of mercury, e.g. storage, handling and disposal for registered companies and conduct surveys of unregistered companies. While Regions are monitoring water bodies for mercury level, there are no reports yet of non-conformance with water quality standards.
The Ministry of Environment of the Republic of Indonesia and Ministry of the Environment of Japan co-organized two focus group discussion on the challenges and good practices for combating illegal trade of mercury.	Indonesia	Participants exchanged information on the current status, challenges, good practices, and available tools/resources for combating the illegal trade of mercury in Indonesia. The discussion also covered further steps needed to combat this issue, as well as the need for technical support taking into account the elements recommended/encouraged in the "Bali Declaration".
Enforcement response	Canada, Peru	Canada reported on a case arising from an incorrect report on the quantity of mercury that was exported to another party. The same party reported that the case was referred to enforcement for review and action, as appropriate. Peru provided information on enforcement responses between 2022 and 2024 and reported thirteen cases which led to the seizure of illegally traded mercury in 2024. The same party also provided information on authorizations to import and export of mercury during 2024.
Illegal online trade of mercury	Indonesia	Indonesia reported partnering since 2023 with the national E-Commerce Association to tackle the issue of illegal online trade of mercury. Actions include regular monitoring and removal of illegal mercury trade content, as well as awareness campaigns targeting platform operators to highlight the risks of mercury and relevant regulations. Despite these efforts, new trading links continue to emerge, necessitating ongoing vigilance.
Information on activities undertaken in relation to the Bali Declaration on combating illegal trade	Indonesia and Japan	Indonesia and Japan jointly submitted two documents: a summary of reports of focus group discussion meetings held in July 2024 and February 2025 in Jakarta reflecting a shared commitment on the issue of illegal trade in mercury; and a set of actionable recommendations on activities to advance the objectives of the Bali Declaration, developed by the participants of the above-mentioned focal groups discussion meetings.

⁴ More information on the project is available on the PlanetGOLD website.

3. Some parties offered recommendations on how to face challenges in the implementation of article 3. Considering their challenges related to illegal trade in mercury, three parties (Senegal, Burkina Faso and Togo)⁵ suggested that it would be urgent to engage in communication with stakeholders involved in illicit trade in the exporting country and to initiate a rapid study on the origin of illegal imports and exports that are not in compliance with the Minamata Convention. Furthermore, the same parties highlighted the need to identify mercury sellers who also ensure the purchase of gold produced on the ASGM sites.

4. Two parties (Indonesia and Japan) provided a set of recommendations to guide relevant parties in operationalizing the Bali Declaration on combating illegal trade in mercury. The recommendations addressed national, regional, and global actions to strengthen efforts against illegal mercury trade, reflecting a consensus on the need for coordinated, multi-faceted strategies. These related to:

- (a) development of a national roadmap;
- (b) quantification of mercury trade flows, implementation of targeted awareness campaigns;
- (c) supporting capacity building and stakeholder engagement;
- (d) establishing mechanisms for handling, storage, and disposal of mercury;
- (e) establishment of a regional network to combat illegal mercury trade; and fostering global-level cooperation, in particular to replicate successful models from multilateral environmental agreements, such as the Basel Convention on the Control of Transboundary Movements of Hazardous Wastes and their Disposal, by fostering collaboration with international bodies like World Customs Organization, Interpol, and the United Nations Office on Drugs and Crime;
- (f) establishment of a global platform for researchers and experts to exchange knowledge on the socioeconomic, financial, and criminal dimensions of illegal mercury trade;
- (g) recommending the encouragement of stocktaking of national reports under the Minamata Convention to compile a global repository of challenges and solutions, providing a foundation for coordinated international action.

⁵ See technical note regarding their SIP project available on the Convention's website.