



**Conference of the Parties to the
Minamata Convention on Mercury
Fifth meeting**

Geneva, 30 October–3 November 2023

Item 4 (d) of the provisional agenda*

**Matters for consideration or action by the Conference
of the Parties: emissions of mercury**

Implementation of article 8: emissions of mercury

Note by the secretariat

I. Introduction

1. In the preamble to the Minamata Convention on Mercury, the parties to the Convention recognize that mercury is a chemical of global concern owing to its long-range atmospheric transport, its persistence in the environment, its ability to bioaccumulate and its significant negative effects on human health and the environment.

2. Article 8 of the Convention concerns controlling emissions of mercury to the atmosphere from relevant sources, defined as sources of emissions falling within the five source categories listed in annex D to the Convention. That article provides that:

(a) A party with relevant sources shall take measures to control emissions and may prepare a national plan setting out the measures to be taken to control emissions, which shall be submitted to Conference of the Parties within four years of the date of entry into force of the Convention for that party;

(b) For new sources, each party shall require the use of best available techniques and best environmental practices to control and, where feasible, reduce emissions, as soon as practicable but no later than five years after the date of entry into force of the Convention for that party;

(c) For existing sources, each party shall include in any national plan, and shall implement, one or more of the measures listed in paragraph 5 of article 8;

(d) Each party shall establish, as soon as practicable and no later than five years after the date of entry into force of the Convention for that party, and maintain thereafter, an inventory of emissions from relevant sources.

3. Paragraph 11 of article 8 provides that each party shall include information on its implementation of article 8, in particular the measures it has taken in accordance with that article and the effectiveness of the measures, in its reports submitted pursuant to article 21 of the Convention.

4. The following table summarizes the number of parties for which the deadlines for the measures on new and existing sources and the establishment of an inventory fall within the reporting period

* UNEP/MC/COP.5/1.

under article 21. The measures that parties take during the second full reporting cycle will be reported by 31 December 2025, and reviewed by the Conference of the Parties at its seventh meeting.

Number of parties for which the deadlines for the measures on new and existing sources and the establishment of an inventory fall within the reporting period under article 21

	<i>New sources and inventory (five years after entry into force)</i>	<i>Existing sources (ten years after entry into force)</i>
First full reporting cycle (2017–2020)	None	None
Second full reporting cycle (2021–2024)	114 parties	None
Third full reporting cycle (2025–2028)	27 parties plus new parties in 2023	98 parties

5. A number of parties reported on the measures taken pursuant to article 8 in their report within the first reporting cycle. With regard to new sources, 56 parties reported that they had identified new sources in their territory,¹ and 43 of those parties reported that they had required the use of best available techniques or best environmental practices. With regard to existing sources, 67 parties reported having taken one or more measures as listed in paragraph 5 of article 8.

6. With regard to emission inventories, 66 parties reported on having prepared an inventory of emissions, of which 59 parties provided information on its availability, including web links, such as their Minamata Initial Assessment reports, the database under the Convention on Long-range Transboundary Air Pollution, or pollutant release and transfer registers.

7. With regard to national plans, 30 parties responded that they had chosen to prepare a national plan. Three of the 30 parties reported that they had submitted national plans. The secretariat confirmed the submission of a national action plan from one party, which is included in the national implementation plan that it had submitted to the secretariat pursuant to article 20 of the Convention.² The secretariat could not confirm the submission of national plans from the other two parties that had reported submissions. The secretariat followed up with the parties that had chosen to prepare a national plan, and was informed that one party had finished its national plan but had not been able to present the plan officially, and that three parties had planned to finalize their plans in 2022.³ Since the Convention provides that any national plan shall be submitted to the Conference of the Parties no later than four years after the entry into force of the Convention for that party, more plans are expected to be forthcoming.

8. Paragraphs 8 and 9 of article 8 provide that the Conference of the Parties shall adopt guidance on:

- (a) Best available techniques and best environmental practices, taking into account any differences between new and existing sources and the need to minimize cross-media effects;
- (b) Support for parties in implementing the measures set out in paragraph 5 of article 8, in particular in determining goals and in setting emission limit values;
- (c) Criteria that parties may develop pursuant to paragraph 2 (b) of article 8;
- (d) The methodology for preparing inventories of emissions.

9. Paragraph 10 of article 8 provides that the Conference of the Parties shall keep under review, and update as appropriate, the guidance referred to in the previous paragraph of the present note.

10. The Conference of the Parties, in decisions MC-1/4 and MC-1/16, adopted guidance with regard to article 8 of the Convention, particularly its paragraphs 8 (a) and (b), requested parties with experience in using such guidance to provide the secretariat with information on that experience, and also requested the secretariat to compile such information and, in consultation with parties and others, to update the guidance as necessary.

¹ Six parties reported identifying new sources but in their explanation for not requiring best available techniques and best environmental practices indicated that there were no new sources in their territories. There appears to be an inconsistency in the responses. For the purposes of this document, the responses were counted as submitted, notwithstanding the inconsistency.

² The secretariat confirmed that Japan had submitted a national plan as part of its national implementation plan, available at <https://mercuryconvention.org/en/parties/national-implementation-plans>.

³ Further analysis is available in document UNEP/MC/COP.5/INF/20.

11. To support parties in implementing article 8, the Global Environment Facility started in 2021 a project entitled “Assessment of existing and future emissions reduction from the coal sector toward the implementation of the Minamata Convention and the Stockholm Convention on Persistent Organic Pollutants” to assess the potential of a reduction in mercury and persistent organic pollutant emissions from coal-fired power plants and industrial boilers. The secretariat and the Global Mercury Partnership cooperate in this project by participating in relevant meetings and providing technical information.

II. Suggested action by the Conference of the Parties

12. The Conference of the Parties may wish to take note of the information set out in the present note and adopt a decision along the lines of the draft decision set out in the annex to the present note.

Annex

Draft decision MC-5/[--]: Implementation of article 8: emissions of mercury

The Conference of the Parties,

Welcoming the measures taken by parties to control emissions of mercury to the atmosphere in advance of the deadlines provided for in article 8 of the Minamata Convention on Mercury,

Recalling that the Conference of the Parties, in its decision MC-1/4, requested parties with experience in using the guidance adopted by the Conference of the Parties pursuant to paragraph 8 of article 8 of the Convention to provide the secretariat with information on that experience, and requested the secretariat to compile such information and to update the guidance as necessary,

1. *Encourages* parties to advance their efforts to implement article 8 of the Convention, taking note of the deadlines for controlling emissions of mercury from new and existing sources and establishing inventories of emissions as provided for in that article;
 2. *Calls upon* parties that have chosen to prepare a national plan pursuant to paragraph 3 of article 8 but have not yet submitted the plan to submit it to the Conference of the Parties through the secretariat as soon as possible, noting that the plan is to be submitted no later than four years after the entry into force of the Convention for the party;
 3. *Encourages* parties with experience in using the guidance adopted by the Conference of the Parties pursuant to paragraphs 8 and 9 of article 8 to provide the secretariat with information on such experience;
 4. *Requests* the secretariat to provide an update to the Conference of the Parties at its sixth meeting on the submitted national plans, as well as on the experience of the parties in using relevant guidance.
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