



**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****Implementation of decision MC-5/2 on mercury supply sources
and trade****Note by the secretariat****I. Introduction**

1. The present note provides information on the implementation of decision MC-5/2 on mercury supply sources and trade. Information on the implementation of decision MC-5/3 on the study of the global supply, production, trade and use of mercury compounds is provided in document UNEP/MC/COP.6/5/Add.1. The present note also presents relevant information from the second short national reports, as well as previous reports, submitted by parties pursuant to article 21 of the Minamata Convention on Mercury, and on relevant work carried out by the Implementation and Compliance Committee of the Convention pursuant to article 15 during the intersessional period between the fifth and the sixth meetings of the Conference of the Parties to the Convention. More information on the second short national reports is available in documents UNEP/MC/COP.6/15 and UNEP/MC/COP.6/INF/20. The report on the work of the Implementation and Compliance Committee, including recommendations, is set out in document UNEP/MC/COP.6/14.

II. Implementation**A. Primary mercury mining (para. 1 of decision MC-5/2)**

2. The Conference of the Parties recalled, in paragraph 1 of decision MC-5/2, that, pursuant to paragraphs 3 and 4 of article 3, parties are required 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. The secretariat's analyses of the second short national reports, which were due to be submitted by the end of 2023, and of previous reports, reveal that two parties with important mercury deposits (Indonesia and Mexico) raised the issue of informal or illegal primary mining in their territories either in their response to question 3.1¹ or in part C² of their national reports. One party (Indonesia) formally

* UNEP/MC/COP.6/1/Rev.1.

¹ The full text of question 3.1 is set out on page 5 of document UNEP/MC/COP.6/INF/20.

² Part C: Comments regarding possible challenges in meeting the objectives of the Convention.

reported the issue of illegal primary mercury mining in its second short national report (submitted in 2023). The party also raised illegal primary mercury mining as a challenge in meeting the objective of the Convention in part C of its full national report (2021) and in its short national report (2019). The other party (Mexico) provided the production data from formal primary mercury mines in its territory in its response to question 3.1 of its second short national report and acknowledged that it did not have data on the production from illegal primary mercury mining operations. The same party had already mentioned in its full national report (submitted in 2021) the persistence of mercury production that might be additional to its known closed mines.

3. In that respect, the Implementation and Compliance Committee at its seventh meeting took note of the fact that parties with important mercury deposits had raised the presence of informal or illegal primary mining in their territories since the first reporting cycle. The Committee recommended, in paragraph 3 (b) of the review of issues of compliance and implementation under the Convention on the basis of national reporting set out in the annex to document UNEP/MC/COP.6/14, that the Conference of the Parties, at its sixth meeting, consider inviting parties to submit information on experiences and challenges faced in the implementation of paragraph 3 of article 3, specifically taking into account any information already provided in response to paragraph 4 of decision MC-5/2 (see section D below). On the basis of the recommendation, the secretariat prepared operational paragraph 3 of the draft decision set out in the annex to the present note, for consideration by the Conference of the Parties at its sixth meeting. Furthermore, the Committee decided to re-examine the issue at its next meeting in the light of available information and to consider any appropriate conclusion or recommendation to provide to the Conference of the Parties.

4. It is worth noting that a project funded by the Global Environment Facility (GEF) seeking to reduce global environmental risks through the monitoring and development of alternative livelihoods for the primary mercury mining sector in Mexico³ is being implemented by the United Nations Environment Programme (UNEP) from 2021 to 2026. The project aims to characterize primary mercury mining in Mexico and reinforce control mechanisms, leading to the permanent closure of mercury mines by 2032 without affecting the situation of miners and their families. The implementation of the project may provide valuable information that supports parties in fulfilling their obligations to regulate primary mercury mining.

B. Information on exports of mercury without consent (para. 2 of decision MC-5/2)

5. In paragraph 2 of decision MC-5/2, the Conference of the Parties encouraged 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. In this respect, the secretariat's analysis of the second short national reports concluded that four parties had provided such information, as follows:

- (a) One party (Antigua and Barbuda) reported a case of export without consent in 2022. The party reported that documents were subsequently submitted that satisfied its national focal point that the stocks had been disposed of in an environmentally sound manner;
- (b) One party (Burkina Faso) reported the presence of illegal domestic trade in mercury in small quantities. The report also confirmed the absences, in its territory, of primary mercury mining and stocks of mercury. The party provided more information on illegally imported mercury in its territory and illegal re-export in response to paragraph 4 of decision MC-5/2 (see section D below on the matter);
- (c) One party (Australia) reported that it had denied a request to export elemental mercury to a non-party for gold extraction purposes on the basis that the non-party could not provide certification that measures were in place to ensure the protection of human health and the environment;
- (d) One party (Canada) reported on a case arising from an incorrect report on the quantity of mercury that had been exported to another party. The party reported that the case had been referred to enforcement for review and action, as appropriate.

³ GEF project 10086.

6. The secretariat's analysis of the second short national reports also revealed that 16 parties⁴ reported neither receiving consent nor relying on a general notification of consent for all exports of mercury from their territories, about which they provided no explanation. The secretariat was unable to determine from the reports whether the responses indicated that no exports had occurred, or whether trade had occurred that did not conform with article 3 of the Convention.

7. The secretariat's analysis of the second short national reports also highlighted challenges in implementing article 3, particularly owing to incomplete trade consent forms and uncertainty regarding the fulfilment of the requirement for consent to the import of mercury required under article 3. In particular, missing information related to: (a) consent granted; (b) source of mercury exported; and (c) signature of the trade consent form by the national focal point. Out of seven parties that reported having received consent to export, four parties (Japan, Mexico, Peru and Switzerland) submitted trade consent forms with their second short national reports. Of the three parties that did not submit trade consent forms, one (Canada) indicated that it relied on a general notification of consent; another (Italy) that it was not yet a party to the Convention when the reported trade took place; and the third (Thailand) provided other information in the form of tables or general comments, which did not show that all requirements of article 3, such as evidence of consent, had been met. More information on the matter is provided in paragraph 22 of document UNEP/MC/COP.6/INF/20.

8. In decision MC-4/8, the Conference of the Parties called on parties that had 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 had been met.

9. It is also worth noting that one party (Peru) included in its second short national report a proposal to optimize 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 responses from parties concerned. The same party also raised the need to improve identification of intended uses of traded mercury, strengthen capacities of border control agents, and advance the development of protocols to identify, seize, transport, handle and label mercury.

C. Joint campaigns and training opportunities to strengthen the capacity of enforcement officers (para. 3 of decision MC-5/2)

10. In paragraph 3 of decision MC-5/2, the Conference of the Parties encouraged parties to promote joint campaigns and training opportunities to strengthen the capacity of enforcement officers, including customs officers, to control mercury trade at the national level.

11. UNEP is implementing a project, funded by Japan, entitled "Project for promoting the Minamata Convention on Mercury by making the most of Japan's knowledge and experiences", to support its Member States in the implementation of the Convention. The project gives particular attention to information exchange, awareness and education, research, development, and monitoring. In-person as well as online training sessions to enhance monitoring of trade in mercury and mercury compounds were organized in between May and August 2025 for representatives of ministries of environment, ministries of health and customs authorities. Participating countries included: India, Indonesia, Japan, Malaysia, Maldives, Mongolia, Nepal, Palau, Philippines, Sri Lanka, Thailand and Viet Nam.

D. 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 (para. 4 of decision MC-5/2)

12. In paragraph 4 of decision MC-5/2, the Conference of the Parties 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 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.

⁴ Comprising, as at 31 July 2025, the following parties: Burundi, Costa Rica, Eswatini, Guinea-Bissau, Madagascar, Mali, Malta, Marshall Islands, Portugal, Republic of Moldova, Rwanda, Sri Lanka, State of Palestine, United Arab Emirates, Viet Nam, Zambia. The figure includes amended responses from parties received by the secretariat. For more information on the matter, see document UNEP/MC/COP.6/INF/20.

13. The following eight parties provided information in response to paragraph 4 of decision MC-5/2: Burkina Faso, Canada, Indonesia, Japan, Peru, Philippines, Senegal and Togo.

14. The secretariat prepared a summary of the varied information shared by parties (UNEP/MC/COP.6/INF/6), and made the submissions available on the Convention [website](#). Challenges mostly related to the implementation of trade-related obligations under article 3, including:

- (a) Illegal, informal and unreported trade across national borders;
- (b) Illegal transit and re-export of mercury;
- (c) Illegal trade in mercury for use in artisanal and small-scale gold mining (ASGM);
- (d) Discrepancy in trade data;
- (e) Lack of resources for control at the border and of infrastructure for seized mercury;
- (f) Unknown origin and importer of mercury;
- (g) Illegal online trading.

15. One party (Indonesia) indicated that official trade statistics showed no recorded imports of elemental mercury into Indonesia in recent years. However, its Minamata Initial Assessment estimated significant mercury use in ASGM, revealing a gap between reported imports and actual usage. The same party further pointed out that the discrepancy highlighted the prevalence of unrecorded and illegal mercury trade. Another party (Burkina Faso) submitted information on the existence of illegal and unreported trade from another party as well as illegal re-export of mercury to other parties in the region for use in ASGM.

16. 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. The party reported on police and Government efforts to control illegal cinnabar mining with the objective of its elimination.

17. Parties also shared experiences on how they are supporting implementation of article 3, which included:

- (a) Existing national laws and regulations to control trade adopted in compliance with article 3;
- (b) National initiatives to tackle the issue of illegal trade in mercury, including online trade;
- (c) Existing projects funded by GEF, such as planetGOLD and the Specific International Programme to Support Capacity-Building and Technical Assistance;
- (d) Relevant projects funded by the Artisanal Gold Council and others;
- (e) Examples of enforcement responses related to cases of illegal or unreported trade in mercury.

18. Furthermore, parties provided information on activities undertaken in relation to the Bali declaration. The ministries of environment of Indonesia and Japan jointly organized two focus group discussions on challenges and good practices in combating illegal trade in mercury in Indonesia. Participants – including representatives from relevant ministries, enforcement and customs authorities, and observers – agreed on further steps needed to combat illegal trade in mercury, taking into account the Bali declaration.⁵ As part of its submission in response to paragraph 4 of decision MC-5/2,⁶ Indonesia shared a set of recommendations formulated by the participants in the focus group discussions to guide relevant parties in operationalizing the Bali declaration. The recommendations include national, regional and global actions to strengthen efforts to combat the illegal trade in mercury.

⁵ The Bali declaration on combating illegal trade in mercury was introduced under the Indonesian presidency of the fourth meeting of the Conference of the Parties as a non-binding political declaration. The declaration received expressions of support from regional groups and delegations and is presented in annex III to the report of the Conference of the Parties to the Minamata Convention on Mercury on the work of its fourth meeting (UNEP/MC/COP.4/28/Add.1).

⁶ Indonesia's submission is summarized in document UNEP/MC/COP.6/INF/6 and is available on the Convention [website](#).

19. Ten parties also raised illicit trafficking, illegal trade or smuggling of mercury in their second short national reports, as well as in previous reporting cycles, including illegal trade in mercury for use in ASGM. For example, Burkina Faso reported illegal domestic mercury trade in its second short national report, despite indicating no mercury stocks, primary mining, or consent to imports of mercury since the first reporting cycle. The discrepancy aligns with the party's acknowledgment of cases of illegal and unreported mercury imports. Another party (Philippines) reported the continued illegal trade in mercury for use in ASGM, which is sold to miners by dental clinics. Another party (Uganda) reported on mercury smuggled from another country that had ended up in its ASGM sector. In reviewing responses related to trade not conforming to article 3 or illegal trade for the past reporting cycles, the secretariat found that a total of nine parties either reported on illegal trade or trade not conforming to the Convention or raised it as a challenge in implementing the Convention. More information is available in paragraph 22 (c) of document UNEP/MC/COP.6/INF/20.

20. In paragraph 5 (a) of the review of issues of compliance and implementation set out in the annex to the report on its work (UNEP/MC/COP.6/14), the Implementation and Compliance Committee expressed concern regarding the issue of illicit trafficking, illegal trade or smuggling of mercury raised by some parties in their national reports and emphasized the importance of implementation of and compliance with the trade provisions set out in article 3 of the Convention. The Committee further decided to re-examine the issue at its next meeting in the light of the information compiled by the secretariat pursuant to paragraph 4 of decision MC-5/2.

E. Update to the existing guidance on stocks adopted in decision MC-1/2, and guidance to assist parties in identifying, managing and reducing mercury trade from primary mercury mining (paras. 5 (a), 5 (e) and 6 of decision MC-5/2)

21. In paragraph 5 (a) of decision MC-5/2, the Conference of the Parties requested the secretariat, subject to the availability of resources, to draft an update to the existing guidance on stocks⁷ 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.

22. To develop the draft update to the existing guidance, the secretariat, with financial resources provided by Canada and Spain, reviewed Minamata Initial Assessments, national action plans on ASGM, national reports and other sources and conducted a survey, from 11 February to 28 March 2025, to gather information from relevant parties and experts from the Global Mercury Partnership mercury supply and storage partnership area on the types of actions that could be taken to fulfil the continuing obligation to endeavour to identify stocks and sources of mercury. On the basis of that work, the secretariat developed draft updates to the guidance, as well as a supplementary document providing additional information, including calculation methods for inventories, as requested by the Implementation and Compliance Committee at its fifth meeting, in March 2023. The draft updates were posted on the Convention website for comments from 24 June to 24 July 2025. Two parties and one non-governmental organization provided feedback on the draft updates, and their input was taken into account in the preparation of the draft updates set out in annex II to the present note. The document containing additional information on types of actions that could be taken to fulfill the ongoing obligation of Parties to identify individual stocks and sources of mercury and mercury compounds is available as document UNEP/MC/COP.6/INF/7.

23. At its seventh meeting, in February 2025, the Implementation and Compliance Committee noted, in paragraph 3 (a) of the annex to the report on its work (UNEP/MC/COP.6/14), that parties that solely rely on their Minamata Initial Assessment results may need to consider more up-to-date sources of information and decided to reconsider the matter after the sixth meeting of the Conference of the Parties, in the light of the updated guidance on stocks requested in paragraph 5 (a) of decision MC-5/2.

24. In paragraph 5 (e) of decision MC-5/2, the Conference of the Parties requested the secretariat, subject to the availability of resources, to develop guidance to assist parties in identifying, managing and reducing mercury trade from primary mercury mining. With financial resources provided by the European Union, the secretariat conducted a scoping study on the control of trade in mercury from primary mining. Noting that the existing forms and guidance⁸ on mercury trade adopted in decision MC-1/2 already require exporting parties to indicate on the trade consent form if mercury is from

⁷ UNEP/MC/COP.1/5, annex IV.

⁸ UNEP/MC/COP.1/5, annex III.

primary mercury mining, and also require importing parties to indicate on the trade consent form whether the purpose of the import is for use allowed to a party under the Convention, the secretariat drafted updates to the guidance on using the trade consent form, and posted them on the Convention website, where they remained from 24 June to 24 July 2025. One party provided comments for clarification. One non-governmental organization provided comments on the draft updates, calling for more detailed provisions for importing parties to verify the sources of mercury, including informal or illegal mining. The draft updates are set out in annex III to the present note.

F. Requests to the secretariat to support parties in better understanding the trade provisions; work on awareness-raising activities related to provisions of the Convention; broaden cooperation with the secretariats of other multilateral environmental agreements; and facilitate exchange of trade-related information (paras. 5 (b), 5 (c), 5 (d) and 5 (f) of decision MC-5/2)

25. In paragraphs 5 (b), 5 (c), 5 (d) and 5 (f) of decision MC-5/2, the Conference of the Parties, requested the secretariat, subject to the availability of resources, to, respectively, support parties in better understanding the trade provisions, their interrelation with other articles of the Convention, and the use of trade consent forms adopted by the Conference of the Parties, in particular with respect to imports from non-parties; work on awareness-raising activities related to provisions of the Convention on allowed uses and sources of mercury in order to assist parties to comply with article 3 requirements; broaden its cooperation with the secretariats of other multilateral environmental agreements; and facilitate the exchange of any trade-related information the secretariat had received from parties pursuant to paragraph 6 of article 3, and which the parties concerned had not objected to sharing with other parties.

26. In response to these requests, the secretariat developed training material to support parties in better understanding the trade provisions, their interrelation with other articles of the Convention, and the use of trade consent forms adopted by the Conference of the Parties. The secretariat also delivered two Minamata Online sessions: one on [implementing trade-related provisions](#), on 26 June 2024; and another on [mercury supply sources and trade](#), on 11 March 2025. Thanks to the financial contribution of the European Union, training modules on supply sources and trade were developed, in collaboration with the United Nations System Staff College, as part of the [Minamata Tools online learning platform](#).

27. A training session on the Minamata Convention on Mercury is being developed in cooperation with the World Customs Organization to be made available on the CLiKC! learning platform for customs officers. The secretariat also engaged with the Green Customs Initiative coordinated by UNEP, which aims at enhancing the capacity of customs and border control officers to enforce and foster compliance with trade-related conventions, multilateral environmental agreements and corresponding national legislation. The secretariat developed an updated chapter on the Minamata Convention on Mercury for inclusion in the latest version of the *Green Customs Guide to Multilateral Environmental Agreements*.

28. The secretariat also carried out awareness-raising activities related to provisions of the Convention on allowed uses and sources of mercury, in order to assist parties to comply with article 3 requirements. Thanks to the financial contribution of the European Union, the secretariat developed a fact sheet on mercury trade.⁹ On 6 June 2024, the secretariat organised a workshop on mercury trade on the margins of the planetGOLD Global Forum on ASGM in the Philippines.

29. A GEF project has been launched in Latin America aimed at accelerating Minamata Convention on Mercury compliance through improved understanding and control of mercury trade.¹⁰ On 11 and 12 March 2025, the secretariat contributed to the inception workshop of the project, which was held in Bogota. The workshop brought together representatives from Bolivia, Colombia, Ecuador, Honduras, Mexico and Peru, as well implementing agencies, to validate a workplan for the first year of implementation of the project and jointly define guidance on the preparation of national studies on mercury supply sources, legal and illegal flows of mercury and related capacity-building needs. The implementation of the GEF project can provide the Conference of the Parties with relevant information on the implementation of article 3 of the Convention in the Latin American region.

⁹ <https://minamataconvention.org/en/resources/2024-fact-sheet-mercury-trade>.

¹⁰ GEF project 1047.

30. The joint report on cooperation and coordination between the secretariats of the Basel Convention on the Control of Transboundary Movements of Hazardous Wastes and Their Disposal, the Rotterdam Convention on the Prior Informed Consent Procedure for Certain Hazardous Chemicals and Pesticides in International Trade and the Stockholm Convention on Persistent Organic Pollutants and of the Minamata Convention on Mercury provides more information on cooperation and coordination between the two secretariats on trade control of elemental mercury (UNEP/MC/COP.5/INF/28, paras. 23 and 24).

31. Finally, in response to paragraph 5 (f) of decision MC-5/2, the secretariat compiled trade-related forms received from parties pursuant to paragraph 6 of article 3 in a database, which is available on the Convention [website](#).

III. Proposed action

32. In the light of the information presented in the present note, the Conference of the Parties may wish to consider and adopt a decision along the lines of the draft decision set out in annex I to the note. The relevant recommendation of the Implementation and Compliance Committee is identified in a footnote to the draft decision.

Annex I

Draft decision MC-6/[--]: Supply sources and trade

The Conference of the Parties,

Expressing appreciation to parties for sharing information on experiences and challenges faced in the implementation of article 3 of the Minamata Convention on Mercury as well as information on activities conducted in relation to the Bali declaration on combating illegal trade in mercury in response to paragraph 4 of decision MC-5/2,

Noting that parties raised the presence of informal or illegal primary mining in their territories and cases of mercury trade not conforming with the Convention, as well as illicit trafficking, illegal trade or smuggling of mercury, in particular for use in artisanal and small-scale gold mining, in their national reports under article 21 and in the information submitted in response to paragraph 4 of decision MC-5/2,

Recognizing that such primary mining and trade represent a challenge to the implementation of paragraph 3 of article 3 of the Convention,

Considering the recommendation of the Implementation and Compliance Committee of the Convention to the Conference of the Parties at its sixth meeting,¹

Noting that, notwithstanding the progress made so far, parties had expressed the need to enhance collaboration and receive additional support and assistance to strengthen implementation of article 3, and acknowledging the role of the Global Environment Facility in providing such support,²

1. *Adopts* the updates to the guidance on the identification of individual stocks of mercury or mercury compounds exceeding 50 metric tons and sources of mercury supply generating stocks exceeding 10 metric tons per year³ set out in annex II to document UNEP/MC/COP.6/5;
2. *Also adopts* the updates to the guidance on the use of forms on import and export of mercury,⁴ set out in annex III to document UNEP/MC/COP.6/5, to assist parties in identifying, managing and reducing mercury trade from primary mercury;
3. *Invites* parties that reported on experiences and challenges faced in the implementation of paragraph 3 of article 3 on primary mercury mining in their national reports under article 21 to provide further information to the secretariat with a view to its being shared with the Implementation and Compliance Committee for further consideration;⁵
4. *Encourages* parties, including those benefiting from the ongoing projects of the Global Environment Facility, to continue to share information with the secretariat about experiences in preventing and combating illegal trade in mercury, including with respect to the use of forms related to article 3 on mercury trade;
5. *Requests* the secretariat to develop, in collaboration with parties and subject to availability of resources, case studies on best practices in preventing and combating the illicit trafficking, illegal trade or smuggling of mercury, and, in doing so, to:
 - (a) Utilize information collected from parties;
 - (b) Take into account information on strategies to prevent the diversion of mercury from foreign and domestic sources to use in artisanal and small-scale gold mining and processing, as contained in national action plans on artisanal and small-scale gold mining submitted by parties in accordance with paragraph 3 (b) of article 7;
 - (c) Invite contributions from United Nations Office on Drugs and Crime, the World Customs Organization and relevant global and regional enforcement networks, as needed;

¹ UNEP/MC/COP.6/14, annex, para. 3 (b).

² For example, the newly launched project entitled "Accelerate Minamata Convention compliance through improved understanding and control of mercury trade in Latin America".

³ The guidance was adopted in decision MC-1/2.

⁴ The guidance was adopted in decision MC-1/2.

⁵ This paragraph was prepared by the secretariat on the basis of the recommendation of the Implementation and Compliance Committee (UNEP/MC/COP.6/14, annex, para. 3 (b)).

6. *Also requests* the secretariat to submit the case studies for consideration by the Conference of the Parties at its seventh meeting;
7. *Requests* the Implementation and Compliance Committee to:
 - (a) assess the reasons for which parties have challenges in implementing trade-related provisions under article 3 and what recommendations could be made to the Conference of the Parties to improve implementation as well as national reporting under article 21;
 - (b) initiate dialogue with relevant international organizations and cooperation with compliance bodies of other multilateral environmental agreements on their activities, with the aim of supporting parties in preventing and combating illegal trade;
8. *Encourages* the United Nations Office on Drugs and Crime, the World Customs Organization, the International Criminal Police Organization, the member organizations of the Inter-Organization Programme for the Sound Management of Chemicals, the secretariat of the Basel Convention on the Control of Transboundary Movements of Hazardous Wastes and Their Disposal, the Rotterdam Convention on the Prior Informed Consent Procedure for Certain Hazardous Chemicals and Pesticides in International Trade and the Stockholm Convention on Persistent Organic Pollutants, and relevant global and regional enforcement networks to assist parties in preventing and combating illegal trade in mercury;
9. *Requests* the secretariat, subject to availability of resources, to continue to provide advice and conduct awareness-raising and technical assistance activities to strengthen the capacity of parties to fulfil their trade-related obligations under article 3;
10. *Also requests* the secretariat to report to the Conference of the Parties at its next meeting on the implementation of the present decision.

Annex II

Draft updates to the guidance on the identification of individual stocks of mercury or mercury compounds exceeding 50 metric tons and sources of mercury supply generating stocks exceeding 10 metric tons per year¹

The following paragraphs are proposed for addition to the section entitled “Background”:

4. The Conference of the Parties, in paragraph 3 of its decision MC-4/8, requested parties to continue their ongoing efforts to endeavour to identify individual stocks and sources of mercury in accordance with paragraph 5 of article 3 of the Convention.

5. In paragraph 5 (a) of decision MC-5/2, the Conference of the Parties requested the secretariat to draft an update to 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 described in paragraph 5 (a) of article 3 of the Convention.

The following section is proposed for addition after paragraph 16:

Measures to fulfil the ongoing obligation 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

19. The types of actions that may be undertaken to fulfil the ongoing obligation to identify stocks and sources of mercury following the initial endeavour may include:

- (a) Identification and quantification of sources in national hazardous substances regulations or implementation plans under article 20 of the Convention;
- (b) Updating or sustaining inventories conducted under the Minamata Initial Assessments;
- (c) Conducting specific surveys for mercury inventories;
- (d) Conducting additional verification of information related to inventories of mercury stocks and sources.

20. National hazardous substances regulations may contain provisions that require or relate to an ongoing task to identify stocks and sources. Following are examples:

(a) Environmental licensing and permits under national hazardous substances regulations, or controls enforced by state and territorial governments, may include provisions that directly inform mercury inventory and the identification of mercury stock and sources. Such provisions, such as reporting obligations and monitoring requirements, can help build a comprehensive inventory and assist in identifying mercury stock and supply sources. For example, under a party’s legislation, manufacturers storing mercury may be required to report on their mercury management. Where national reporting rules or permit systems are inadequate or lacking, parties may consider incorporating interim mercury data into existing environmental licensing systems. These reports can reveal stock trends and serve as valuable data sources for identifying and tracking mercury stocks and sources;

(b) A mercury inventory reporting rule may establish reporting requirements to support initial, interim, or sustained periodic inventory. This may generally include reporting information on mercury or mercury compounds manufactured, imported, stored, used, sold or exported, as well as on manufacturing processes or products in which mercury or mercury compounds are used or intentionally added;

¹ UNEP/MC/COP.1/5, annex IV.

(c) Information gathered through consultations during the development or implementation of regulations under the Convention may yield information on mercury stocks and sources. Such consultations could take various forms, such as key stakeholder engagement or public consultation questionnaires;

(d) In the framework of an implementation plan pursuant to article 20 of the Convention, a mercury inventory may be included, incorporating, for example, mercury trade flow analyses, reviews of point-of-sale registers and information exchange mechanisms. They may also involve public sector data sharing, reporting requirements and measures related to research, development and monitoring.

21. Minamata Initial Assessments helped establish mercury inventories and baselines for parties. Some parties have updated the inventories and submitted the results in their national reports. New data for the inventory may come from submitted reports from facilities, entities, territorial authorities or stakeholder consultations.

22. National inventories and surveys that are periodically updated may provide quantitative assessment of mercury use, and quantities of stocks, supply and flows to inform ongoing efforts in the identification of individual stocks and sources. Actions may include statistical surveys, sector- or industry-specific surveys, emissions and releases surveys (identification and quantification of mercury emissions and releases), digital tracking systems, trade and supply chain analysis, and mapping of locations of institutions or facilities with stocks and/or sources (e.g. geographic information system datasets, database reports, and other geographical resources). Inter-agency reports and digital platforms may facilitate information exchange and collaboration. In low-resource situations, simplified data collection methods may be used and supported as initial steps, with an eye towards gradual digital integration.

23. Additional verification of information may be conducted to contribute to ongoing efforts to identify stocks and sources of mercury, including the identification of potential informal or unregulated sources. These verification efforts may include stakeholder consultations, community-level engagement, review of mercury import and export data, routine inspections, review of local authority records, downstream impact assessments (e.g. environmental sampling), verification checks for accuracy and compliance with established administrative rules or formats, cross-field validation, error handling, data tracking (e.g. creation of timestamps and audit logs), and ground-truthing. Parties with limited verification infrastructure may prioritize desk reviews and stakeholder interviews while accessing technical support and training for field validation.

24. The dynamic nature of mercury stocks makes it necessary to establish the timing and frequency of activities related to the identification and quantification of stocks. In determining inventory frequency, considerations may include frequency of data collection, the establishment of methods for tracking changes in stocks and supplies over time, reporting such data, and updating national inventories. The frequency and depth of identification activities may be tailored to national capacities.

Annex III

Draft updates to the appendices to the guidance on completing the forms required under article 3 related to trade in mercury¹

Appendix A

In the box in section C on shipment information to be provided by the exporting country, after the first paragraph, the following paragraph is proposed for addition:

Section C includes information on the source of mercury to be exported. Sources of mercury may include primary mercury mining, decommissioning of facilities where mercury or mercury compounds were used, mercury storage prior to use, mercury recycling or recovery, and facilities that may result in the production of by-product mercury such as non-ferrous metal, oil or gas production.

At the beginning of the following paragraph, the following text is proposed for addition:

Exporting parties are to identify whether the mercury is from primary mercury mining. It should be noted, in the identification, that primary mercury mining may be undertaken as what parties regard as informal or illegal activities.

In the box in section D on information to be provided by the importing party, the following paragraph is proposed for addition after the current last paragraph:

Exporting parties shall not allow the export of mercury unless the export of mercury is for the purpose of environmentally sound interim storage or for the use allowed under the Convention.

Appendix B

In the box in section C on shipment information to be provided by the exporting party, the following text is proposed for addition at the beginning of the second paragraph:

Exporting parties are to identify whether the mercury is from primary mercury mining. It should be noted that this may include what parties regard as informal or illegal primary mercury mining.

In the box in section D on certification and information to be provided by an importing non-party, the following paragraph is to be added after the current last paragraph:

Exporting parties shall not allow the export of mercury to a non-party unless the non-party has measures in place to ensure the protection of human health and the environment and to ensure its compliance with articles 10 and 11, and unless the export of mercury is for the purpose of environmentally sound interim storage or for the use allowed under the Convention.

¹ UNEP/MC/COP.1/5, annex III.