

# Introduction to trade- related obligations under the Minamata Convention on Mercury

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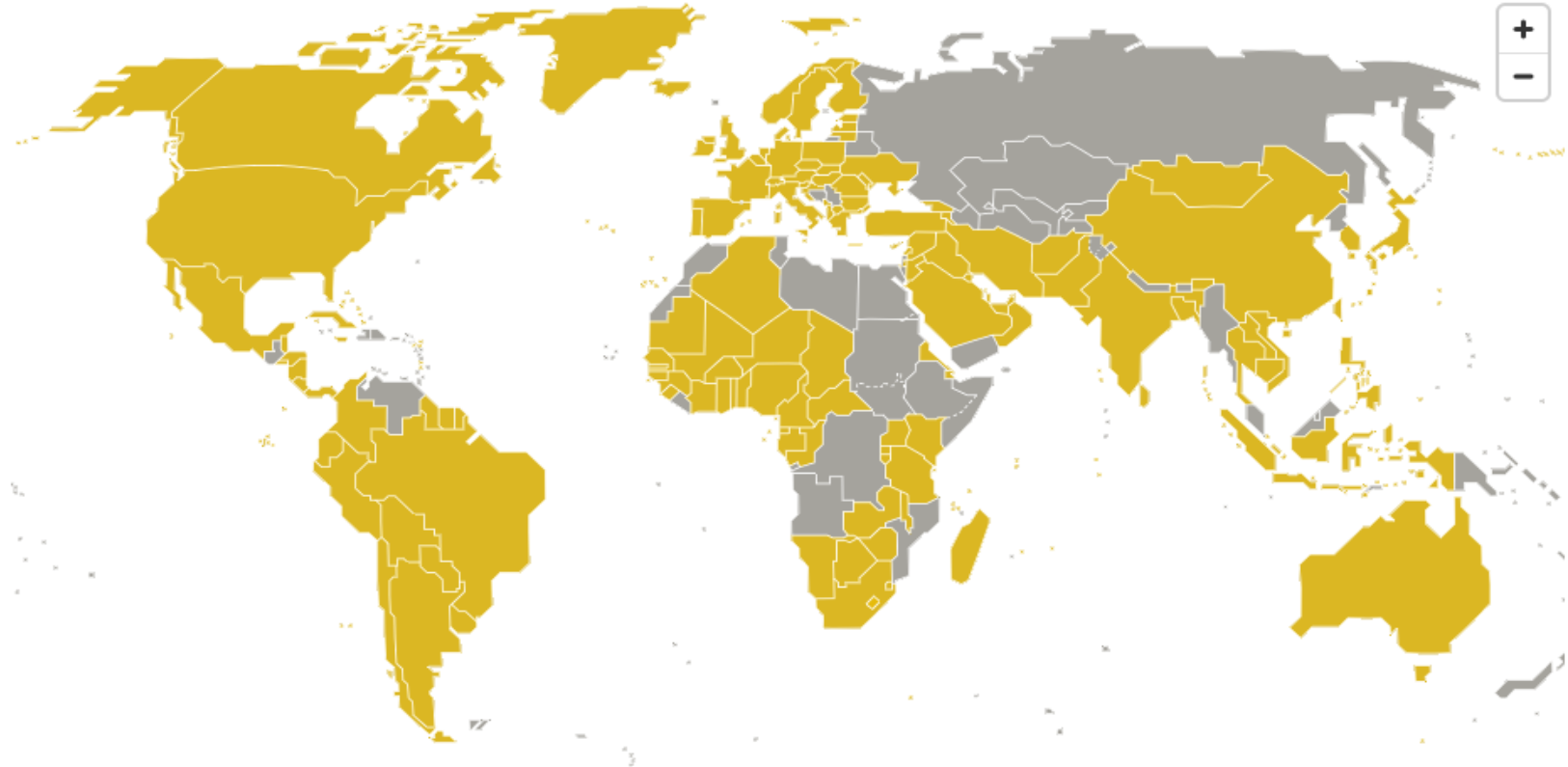
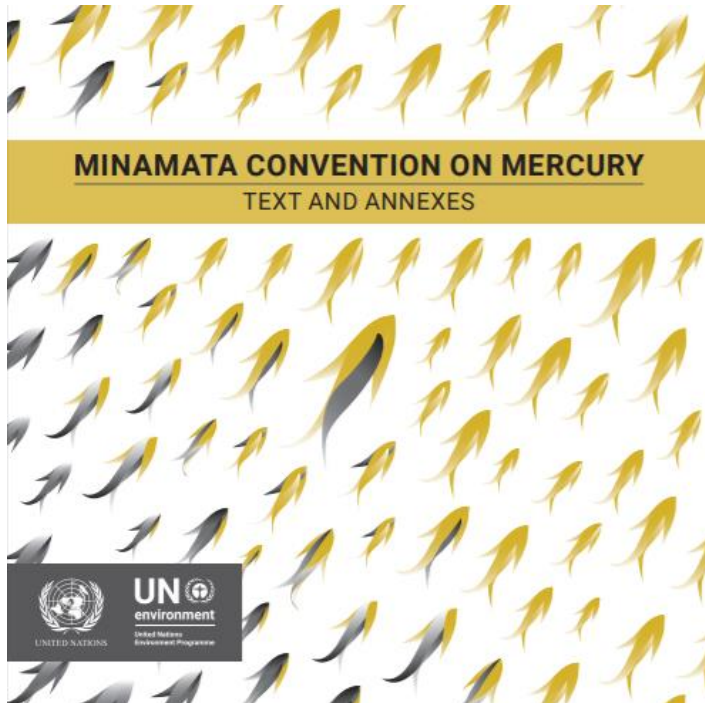


Managing Mercury Trade: Experience from Parties with an ASGM sector  
6 June 2024, Talisay, Batangas, Philippines

# Minamata Convention of Mercury



- Objective: to **protect the human health and the environment from anthropogenic emissions and releases of mercury and mercury compounds.**
- Adopted in October 2013, entered into force in August 2017.
- 148 Parties, as of June 2024



# Mercury trade and ASGM under of the Minamata Convention

- **Article 3 (Mercury supply sources and trade)** requires Parties to take measures to control trade of mercury with other Parties as well as with non-Parties and reinforces demand reduction control measures (Articles 4-7)
- **Article 7 (Artisanal and small-scale gold mining)** requires Parties with ASGM to develop and implement national action plans, which includes strategies for managing trade and preventing the diversion of mercury to use in ASGM.



## Article 3 trade procedures



# Summary of Article 3 trade procedures



Not allow the EXPORT of mercury unless the importing country provides **written consent**, the mercury is for an **allowed use or environmentally sound storage**, and all other conditions of Article 3.6 are met.



Not allow the IMPORT of mercury without government **consent**, ensuring both the mercury **source and proposed use** are allowed under the Convention (and applicable domestic law).



**Restrict the export and use of mercury from primary mercury mining, so that it is not available for use in artisanal and small-scale gold mining (ASGM).**

## General consent notifications

- The Convention allows for Parties to issue consent either on an import by import basis or through a general notification of consent provided to the Secretariat.
- A general notification of consent may include terms and conditions, and may be revoked at any time by that Party or non-Party.



To date,  
general  
consent  
notifications  
received  
from:  
Canada,  
Japan,  
Thailand,  
United  
States

# Forms and guidance for managing mercury trade

**Article 17: Parties must designate a focal point for information exchange, including with respect to trade consent**

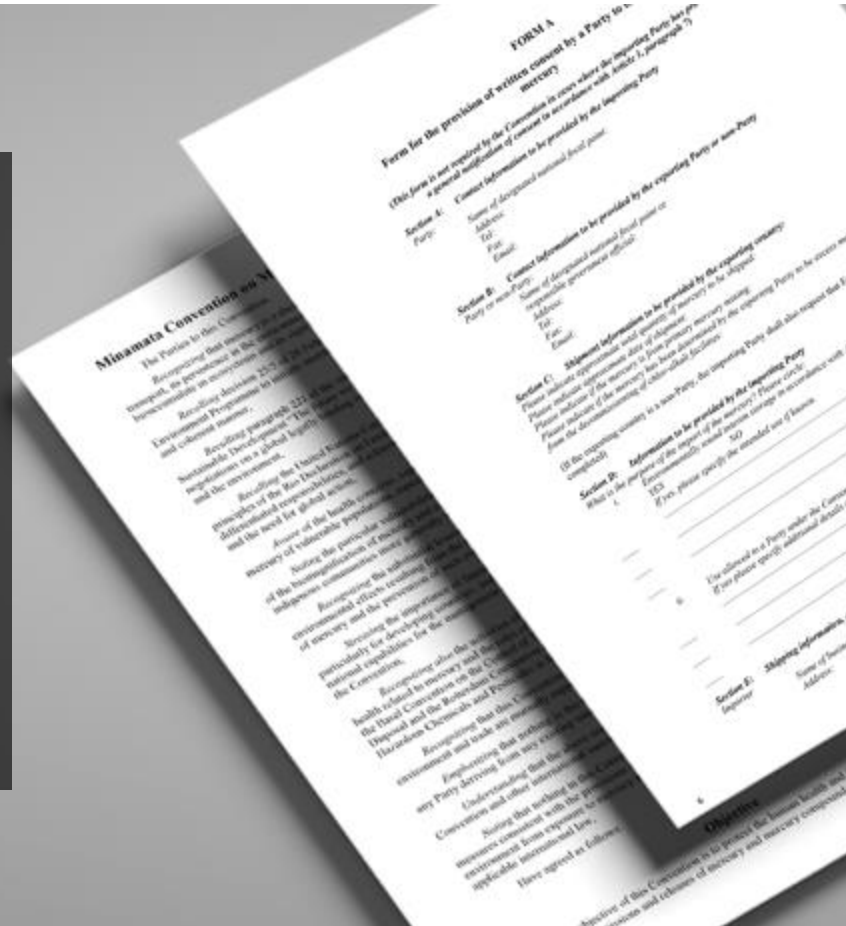
**Article 21 provides that each Party shall include in its national report information showing that the requirements of Article 3 have been met**

Form A: Form for the provision of written consent by a Party to the import of mercury

Form B: Form for the provision of written consent by a non-party to the import of mercury

Form C: Form for non-Party certification of the source of mercury to be exported to a Party

Form D: Form for general notification of consent to import mercury



The Secretariat makes public the forms and guidance adopted by COP and keeps public register of general notification of consent on its website.

## Article 7: mercury trade and ASGM





## Article 7: Annex C – National Action Plans

Requires Parties with ASGM to develop and implement national action plans. Each national action plan shall include the following:

- National objectives and reduction targets (para. 1a)
- List of practices to be eliminated (para. 1b)
- Measures to formalize or regulate the sector (para. 1c)
- Baseline estimates of mercury quantities and practices (para. 1d)
- Timetable for implementation of national action plan (para. 1k)

*Optional:* Additional strategies to achieve objectives, including introduction of standards for mercury-free ASGM and market-based mechanism or marketing tools (2)

Set of strategies (paras.1e-j):

- promoting the reduction of emissions and releases of, and exposure to, mercury in ASGM and processing, including mercury-free methods
- **managing trade and preventing the diversion** of mercury and mercury compounds from both foreign and domestic sources
- involving stakeholders in the implementation and continuing development of NAPs
- public health, exposure of miners and their communities
- preventing the exposure of vulnerable populations
- providing information to miners and affected communities

# ASGM National Action Plans



Some Parties describe their current situation of mercury trade related to ASGM in their [National Action Plans](#). (Example from Mongolia below)

**Table 5 Illegal attempts to import, transport and sell mercury in Mongolia**

Date	Comments	Amount of mercury unveiled, kg	Source
17 Feb, 2017	A (Orkhon aimag resident), T (Darkhan-Uul aimag resident), B, O and D (from Ulaanbaatar) were found to have 34 kgs mercury in their car	34	Criminal Police Unit, Railway Police Department
21 Feb, 2017	People were caught while selling 900 gr mercury from Toyota Allian car in Khoroo 32, Bayangol District	0.9	<a href="http://unuudur.mn/article/95763">http://unuudur.mn/article/95763</a>
19 Jan, 2017	Experts of Capital City Emergency Management Department found 1 kg mercury selling attempt in Khoroo #16, Sukhbatar District, in response to information from citizens	1	<a href="http://unuudur.mn/article/95763">http://unuudur.mn/article/95763</a> Capital City Emergency Agency
22 Dec, 2016	Khan-Uul District Traffic Police Officer detect a Range Rover transporting 64.5 kg mercury in Bayangol District, Ulaanbaatar	64.5	<a href="http://unuudur.mn/article/95763">http://unuudur.mn/article/95763</a> <a href="http://police.gov.mn/a/2386">http://police.gov.mn/a/2386</a>
28 Nov, 2016	Police seizes 40 kg mercury while being transported by Prius 20 car in Bayanzurkh District, Ulaanbaatar	40	<a href="http://www.police.gov.mn">http://www.police.gov.mn</a>
2016	6 calls related to mercury received in 2016		Capital City Emergency Agency
May 2016	30 kg mercury detected at customs in Gashuunsukhait border pass, Umnugobi Aimag, hidden in Nord Benz truck transporting coal. Driver was arrested while attempting to sell the mercury	30	<a href="http://unuudur.mn/article/95763">http://unuudur.mn/article/95763</a>
<b>Total</b>		<b>170.4</b>	

**Figure 9. Illegal mercury transportation in Mongolia**



Source: Mongolia. NAP Project. 2018. Mercury Inventory



THE NATIONAL ACTION PLAN FOR  
REDUCING MERCURY POLLUTION  
CAUSED BY ARTISANAL AND SMALL-  
SCALE GOLD MINING IN MONGOLIA  
2019-2023

The Resolution of the Government of  
Mongolia No 317, dated 14 August 2019  
Submitted to the Secretariat of  
Minamata Convention:  
June 2020

- *Encourages* 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.
- *Invites* 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 requests the Secretariat to compile the information received for consideration by COP-6.
- *Requests* the Secretariat, subject to the availability of resources, to:
  - **Support Parties in better understanding the trade provisions, their interrelation with other Articles of the Convention, and the use of trade forms adopted by the COP, in particular with respect to imports from non-Parties; [...]**

- The European Commission supports the Secretariat in capacity building activities to control mercury trade:
  - Training module “Minamata Tools” on Article 3 launched in early 2024
  - Training module for customs officers on the Minamata Convention to be developed for WCO CLiKC! learning platform.
- GEF supports projects on mercury trade in Latin America and Asia
- Specific International Programme (SIP) supports Parties in implementing the Convention including Articles 3 and 7



MINAMATA  
CONVENTION  
ON MERCURY

# Thank you for your attention

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