



Trade requirements under the Minamata Convention on Mercury

TRAINING PROGRAMME FOR THE PREVENTION AND PROSECUTION OF ILLICIT TRAFFICKING OF CHEMICALS AND DANGEROUS WASTES IN THE LATIN AMERICAN AND CARIBBEAN REGION

3 July 2023

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SECTION TWO

ARTICLE 3 REQUIREMENTS ON MERCURY TRADE

OVERVIEW OF ARTICLE 3

- Contains control measures to limit the global supply of mercury
- Complements and reinforces demand reduction control measures (Articles 4-7)
- Outlines procedures to follow for trade in elemental mercury



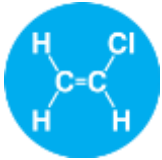
MAIN SOURCES OF MERCURY SUPPLY



Primary mining



By-product mercury



Decommissioned chlor-alkali plants



Mercury recovered from wastes and used products



Existing stocks

TRADE PROCEDURES—PRIOR INFORMED CONSENT

- 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 consent of the relevant government official, ensuring both the mercury source and proposed use are allowed under the Convention (and applicable domestic law)



**Provisions
Effective
immediately
upon Entry
into Force**

HOW IT WORKS

SCENARIO
ONE

Exporter is a Party → Importer is a Party (Article 3.6.a)

SCENARIO
TWO

Exporter is a Party → Importer is a non-Party (Article 3.6.b)

SCENARIO
THREE

Exporter is a non-Party → Importer is a Party (Article 3.8)

SCENARIO
ONE

EXPORTER IS A PARTY → IMPORTER IS A PARTY



Mercury export
is allowed if:

PARTY TO CONVENTION

PARTY TO CONVENTION



Importing Party
has provided
written consent



Mercury is for use allowed under the
Convention, OR for environmentally sound
interim storage

SCENARIO
TWO

EXPORTER IS A PARTY → IMPORTER IS A NON-PARTY



Mercury export
is allowed if:

PARTY TO CONVENTION

NON-PARTY



Importing non-Party
has provided
written consent



Importing non-Party certifies it has
measures in place to protect human health
and the environment

Importing non-Party ensures its compliance
re: storage and final disposal

Mercury is for use allowed under the
Convention, OR for environmentally sound
interim storage

SCENARIO
THREE

EXPORTER IS A NON-PARTY → IMPORTER IS A PARTY



NON-PARTY



PARTY TO CONVENTION



Mercury export
is allowed if:



Importing Party
has provided
written consent



Exporting non-Party has provided
certification that the mercury is not from
primary mercury mining or from
decommissioning chlor-alkali facilities

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



SUMMARY OF MERCURY TRADE PROVISIONS



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).

FORMS AND GUIDANCE FOR MANAGING MERCURY TRADE

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



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

Forms to be used for mercury trade under the Minamata Convention

	Importing Party	Importing non-Party	Importing Party	Importing non-Party
	(has registered General Notification of Consent (Form D))		(has not registered General Notification of Consent (Form D))	
Exporting Party	<ul style="list-style-type: none"> Exporting Party may rely on General Notification of Consent (GNC). 	<ul style="list-style-type: none"> Exporting Party may rely on GNC. 	<ul style="list-style-type: none"> Should use Form A. 	<ul style="list-style-type: none"> Should use Form B.
Exporting non-Party	<ul style="list-style-type: none"> Exporting non-Party may rely on GNC. Exporting non-Party should submit Form C to importing Party. 	(outside the scope of the Convention)	<ul style="list-style-type: none"> Should use Form A. Exporting non-Party should submit Form C to importing Party. 	(outside the scope of the Convention)

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.

<http://www.mercuryconvention.org/Convention/Formsandguidance/tabid/5527/language/en-US/Default.aspx>



Forms and guidance documents

At its first meeting, the Conference of the Parties to the Minamata Convention on Mercury adopted forms and guidance to assist Parties with its effective implementation.

These forms and guidance, as adopted, are presented below.

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Arabic	Chinese	English	French	Russian	Spanish
Article	Adopted	Title			
Article 3	COP1 MC-1/2	Forms related to Article 3 on Mercury trade			
Article 3	COP1 MC-1/2	Guidance on completing the forms required under article 3 related to trade in mercury			
Article 3	COP1 MC-1/2	Guidance on the identification of individual stocks mercury or mercury compounds exceeding 50 metric tons and sources of mercury supply generating stocks exceeding 10 metric tons per year			

Arabic	Chinese	English	French	Russian	Spanish
Article	Adopted	Title	File	Further information	
Article 3	COP1 MC-1/2	Forms related to Article 3 on Mercury trade			
Article 3	COP1 MC-1/2	Guidance on completing the forms required under article 3 related to trade in mercury			
Article 3	COP1 MC-1/2	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 year			
Article 6	COP1 MC-1/12	Format for the registration of exemptions for the products and processes listed in Part I of Annexes A and B			
Article 7	COP1 MC-1/13	Guidance on developing a national action plan to reduce and, where feasible, eliminate mercury use in artisanal and small-scale gold mining		UNEP website on National Action Plans	
Article 8	COP1 MC-1/14	Guidance on Best Available Techniques and Best Environmental Practices - Taking into account any difference between new and existing sources and the need to minimize cross-media effects (Including guidance on support for Parties in implementing the measures set out in paragraph 5, in particular in determining goals and in setting emission limit values)			
Article 8	COP1 MC-1/16	Guidance on criteria that Parties may develop pursuant to paragraph 2(b)			
Article 8	COP1 MC-2/6	Guidance on the methodology for preparing inventories of emissions		Mercury inventory toolkit	

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- The Secretariat keeps public register of General notification of consent.

<http://www.mercuryconvention.org/Countries/Parties/Notifications/tabid/3826/language/en-US/Default.aspx>



Notifications under the Minamata Convention on Mercury

Information submitted will be posted here when available.

You will find below information submitted by States or Regional Economic Integration Organization concerning the following issues:

- General notification of consent to import as per Article 3, paragraphs 6 and 7
- Notification of application of Article 3, paragraph 9
- Notification under Article 4, paragraph 2
- Registrations for exemptions from the phase out dates in Annexes A and B as per Article 6
- Designation of national focal point for the exchange of information as per Article 17, paragraph 4
- Information on measures to implement the Convention as per Article 30, paragraph 4
- Declaration on the entry into force of any amendment to an annex as per Article 30, paragraph 5
- Notification by a Party that artisanal and small-scale gold mining and processing is more than insignificant in its territory, as per Article 7, paragraph 3

More information about the registrations for exemptions from the phase out dates in Annexes A and B as per Article 6 are found at the [Exemptions page](#).

Notification as per	Article 3.6 and 3.7	Article 3.8 and 3.9	Article 4.2	Article 6	Article 17.4	Article 30.4	Article 30.5	Article 7.3
Afghanistan								
Albania								
Antigua and Barbuda								
Argentina								

More information about the registrations for exemptions from t Article 6 are found at the [Exemptions page](#).

Notification as per	Article 3.6 and 3.7	Article 3.8 and 3.9	Article 4.2
Afghanistan			
Albania			
Antigua and Barbuda			
Argentina			

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Thank you for your attention

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