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United Nations Environment Programme

Conference of the Parties to the
Minamata Convention on Mercury
First meeting
Geneva, 24–29 September 2017

Decision adopted by the first Conference of the Parties to the Minamata Convention on Mercury

MC-1/20: Guidance on the management of contaminated sites

The Conference of the Parties

Decides to develop draft guidance on managing contaminated sites in line with the programme of work as set out in the road map provided as annex I to the present decision, and building on the draft structure and content provided in annex II to the present decision.

Annex I to decision MC-1/20

Draft road map for the preparation of the guidance document on the management of contaminated sites

<i>Activity</i>	<i>Time frame End date</i>
The Conference of the Parties at its first meeting establishes a process to prepare a guidance document on the management of contaminated sites as called for in paragraph 3 of article 12 of the Minamata Convention for consideration and adoption by the Conference of the Parties at a future meeting. The elements of this process are set out in the road map below.	September 2017
The Conference of the Parties recognizes the complexity of the management of contaminated sites, as well as the technical requirements of developing draft guidance; however, it also recognizes that relevant guidance has been prepared in a range of other forums that can be drawn on in developing draft guidance. The Conference of the Parties therefore recognizes the need for the contribution of experts in this area and calls for Governments and others to nominate interested experts to participate in the work.	September 2017
Nominations of experts are provided to the secretariat to be included in a working group of experts to collaborate electronically.	December 2017
The secretariat, drawing on previously submitted information and work undertaken in other forums, and using the outline of the structure and content of the guidance agreed by the Conference of the Parties as a basis, prepares an initial draft guidance on contaminated sites and circulates it electronically to the experts.	February 2018

The experts review the initial draft proposals and provide comments to the secretariat electronically. Teleconferences or webinars may be used to discuss the draft guidance as required.	April 2018
The secretariat prepares revised versions of the draft guidance and circulates it to the experts for consideration and further electronic discussion.	May 2018
The experts consider the revised proposal and prepare recommendations for the Conference of the Parties at its second meeting, including any recommendations for new or additional work to be undertaken.	July 2018
The secretariat makes the draft guidance and any recommendations available to the Conference of the Parties at its second meeting for its consideration and further recommendations.	November 2018

Annex II to decision MC-1/20

Outline of the structure and content of guidance on the management of contaminated sites

Guidance on the management of contaminated sites

A. Introduction

1. The introduction will provide general background information on the risks to both human health and the environment associated with mercury exposure. It will give information on the global use of mercury, with particular relevance to those uses that have resulted or are likely to result in contaminated sites (in particular artisanal gold mining, use in chlor-alkali production, industrial waste management, or sites that may be contaminated due to run-off from such sites). The introduction will also provide an overview of the obligations under the Minamata Convention on Mercury in relation to the management of contaminated sites, and highlight some existing relevant national policies.

B. Site identification and characterization

2. The section will set out mechanisms that countries can use to identify sites contaminated by mercury or mercury compounds, as well as techniques to characterize the contamination following the identification of a suspected contaminated site. The guidance will describe the steps that may be required in developing a national list of contaminated sites. Steps may include determination of the national level of mercury or mercury compound contamination that would result in a site being described as contaminated. The term “site” may also need to be defined, taking into account that areas affected by run-off from a primary site may be more affected. The guidance would then cover the mechanism at the national level to determine potentially contaminated sites. This may include a combination of a desk exercise gathering information on current or previous industrial or mining activities in which mercury or mercury compounds have been used or released, or the location of waste dumping area, as well as information gathered through observation of sites and local reporting.

3. Potentially contaminated sites identified through this mechanism can be further characterized through an assessment protocol. The guidance would also cover what such a protocol may encompass, noting that the protocol would need to be agreed at the national level. The assessment protocol may include site inspection to further determine the characteristics of the site (including topography, the possibility of run-off or contamination of local water sources, current usage of the site and evidence of previous uses). Detailed sampling of the air, soil and water at the site would be needed to further characterize the risks, and the guidance would include information on sampling information to best characterize the site, as well as a range of analytical methodologies that could be used to determine the level of mercury or mercury compounds present. Sampling of biota, for example fish, waterfowl and local mammals in areas affected by mercury contamination can give useful information, particularly on the risks to the local environment and risk to local populations through exposures through their diet, and sampling of the local populations themselves may also be required. Description of the sampling techniques and analytical methodologies would be included in the guidance. The guidance may also include information on prioritization of activities, where an initial screening activity is used to determine the sites that are considered to be the highest risk (taking into consideration factors such

as location close to population centres, possibility of contaminating ground water or river systems and the actual levels of mercury at the site).

C. Engaging the public

4. The need to engage the public is recognized as essential. The guidance will include information on setting up a public consultation process, including mechanisms for collecting and distributing information, involvement of the public and stakeholders in establishing commitments and a plan in relation to the assessment process and any possible remediation process, and methods of collecting feedback to assess public engagement and levels of satisfaction. The guidance will also include information on activities to raise public awareness and build capacity, particularly in relation to any requirements in relation to reducing exposure.

D. Human health and environmental risk assessments

5. The impact of the site relies on risk assessments for both human health and the environment. While the hazards of mercury are well-characterized and universal, the exposure resulting from the presence of mercury is site specific. The guidance will include some information on the hazards of mercury and mercury compounds, but will focus more on considerations of how the site characteristics may be associated with exposure for humans and the environment, and how such exposure can be assessed. It will then provide information on how to determine the risks associated with the site, including determination of where the risks are primarily to the environment, to human health or to both.

E. Options for managing the risks posed by contaminated sites

6. Following assessment of a contaminated site, national decisions would need to be taken on the most appropriate means of managing the site. The guidance will provide information on a range of options for managing the risks posed by contaminated sites. It will consider the need to protect humans and the environment throughout the risk management process, and will take into account the need for any actions to be conducted in an environmentally sound manner.

F. Evaluation of benefits and costs

7. It is recognized that identification, characterization, assessment and remediation of contaminated sites will incur costs; however, it is also recognized that the impact of mercury and mercury compounds on local populations and the environment also incurs costs. The guidance will provide information on assessing the costs and benefits of activities to address contaminated sites to the extent possible, recognizing that there will be variation between countries with respect to the costs of interventions.

G. Validation of outcomes

8. There is a need to validate the outcomes of any delivered activity in relation to contaminated sites, in particular to determine the effectiveness of any interventions, as well as to consider the need for any further activities. The guidance will include information on activities needed to validate the outcomes.

H. Cooperation in developing strategies and implementing activities for identifying, assessing, prioritizing, managing and, as appropriate, remediating contaminated sites

9. The section will set out possible strategies that may be taken up by parties that wish to cooperate on activities in relation to contaminated sites. The strategies may include information-sharing activities, identification of opportunities for joint assessment of sites, coordination of communication plans in relation to sites, and other cooperative activities as considered appropriate.